Commentary
October 1999

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Books in Review
Chester E. Finn, Jr. • *Gabriel Schoenfeld* • *David Brooks*
David Singer • *Christopher Caldwell*

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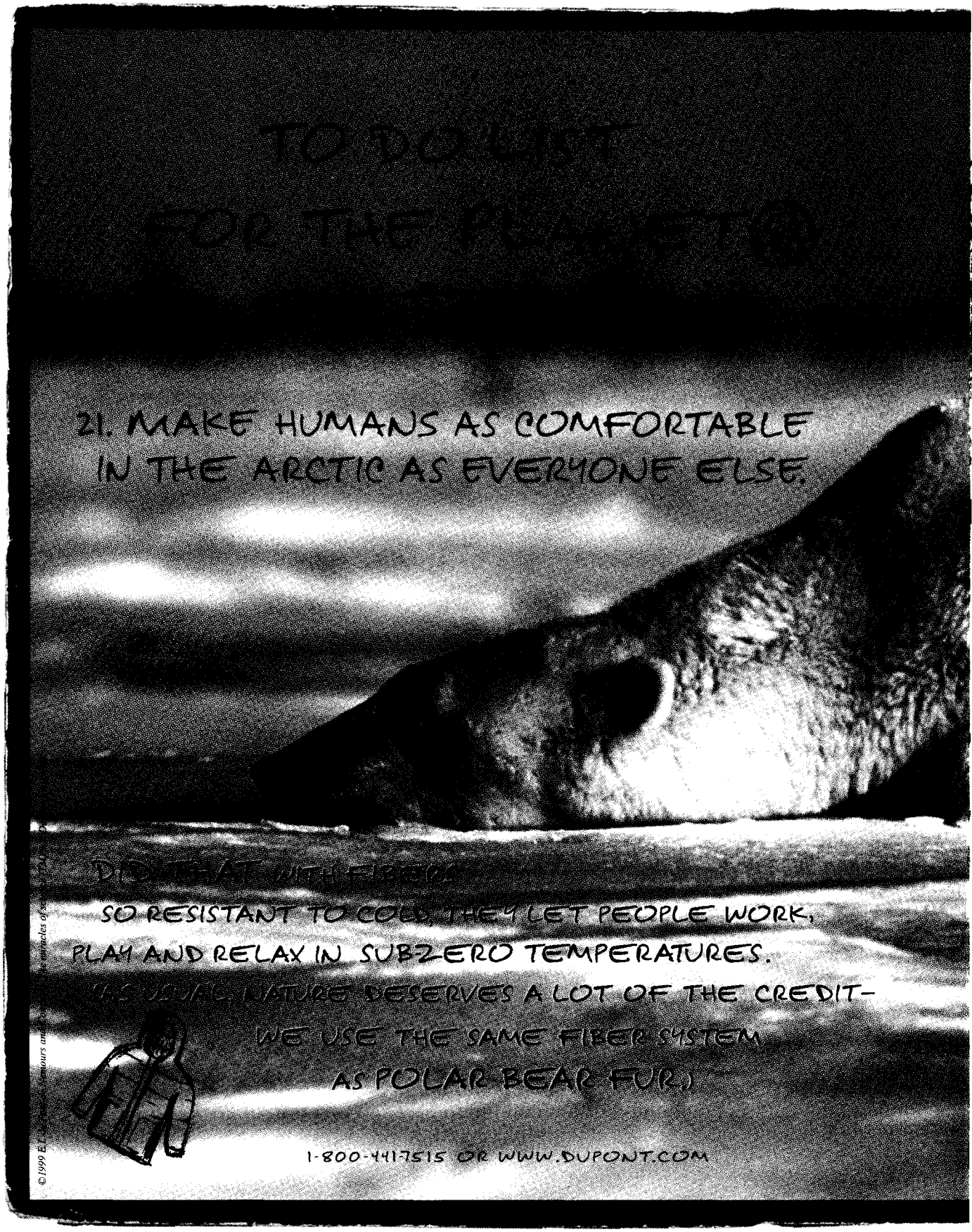
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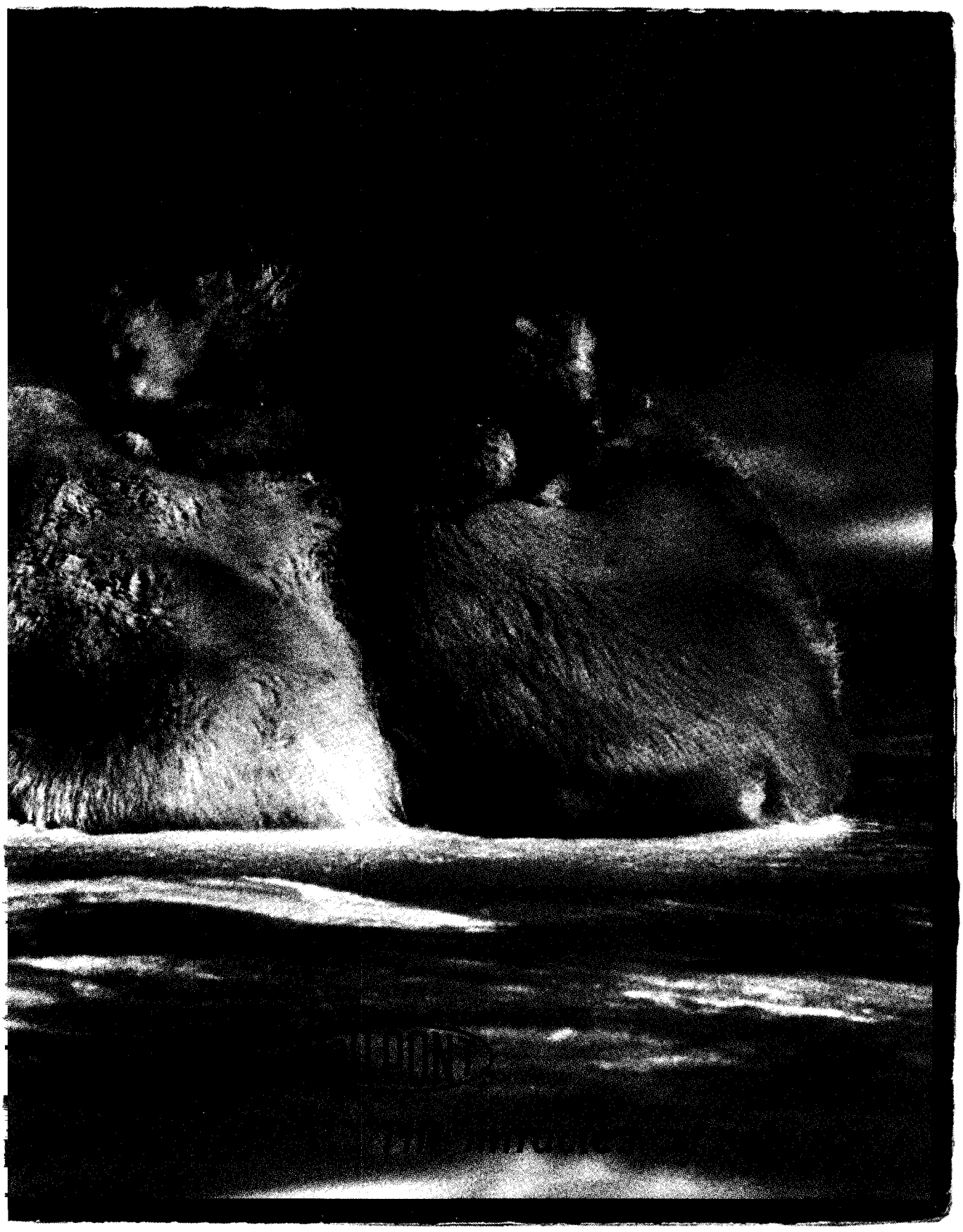

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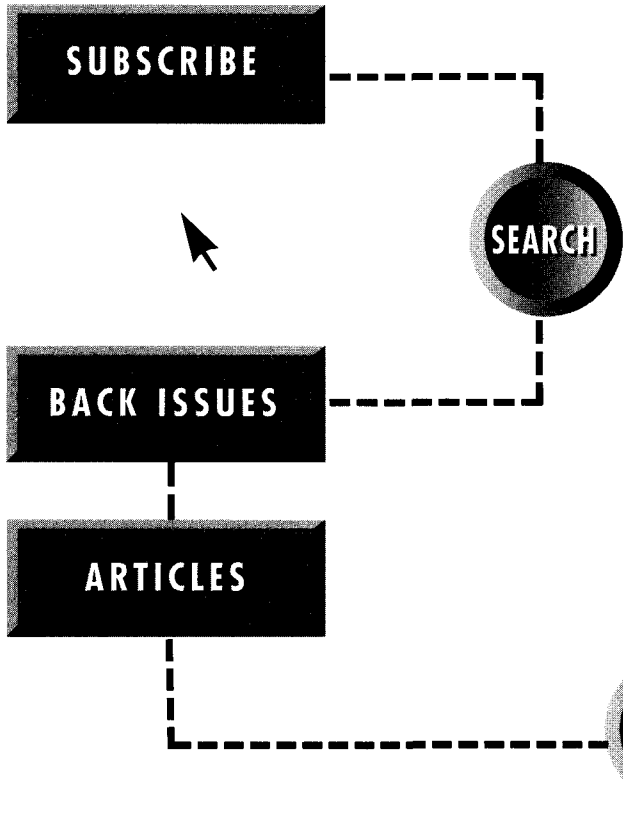

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ARTICLES

21

What the Republicans Have Forgotten *Daniel Casse*

If it truly intends to become a governing party, today's fractured, directionless GOP needs to unlearn a few things and, more importantly, relearn a few others.

28

Israel's Imperial Judiciary *Hillel Neuer*

Contrary to its reputation, the country's activist Supreme Court is not defending democracy but subverting it.

32

Of Kitsch and Coins *Michael J. Lewis*

The Sacagawea dollar, soon upon us, embodies to perfection the anti-heroism of the moment, political and aesthetic alike.

37

The Word of Hafez al-Assad *Daniel Pipes*

Bill Clinton thinks "you can trust" the Syrian dictator to honor a deal, and many agree; the record indicates otherwise.

STORY

41

Freddy Duchamp in Action *Joseph Epstein*

OBSERVATIONS

48

Lessons of the Great War *Donald Kagan*

Could we have avoided World War I and (therefore) all the horrors that followed it?

MUSIC

53

The Composer and the Commissars *Terry Teachout*

Debate still rages on whether Dmitri Shostakovich was a closet dissident—and on whether, and how, it matters.

LETTERS

5

Memoirs; the Bible; Ralph Ellison; etc.

BOOKS

57 The Big Test by Nicholas Lemann *Chester E. Finn, Jr.*

60 An Affair of State by Richard A. Posner *Gabriel Schoenfeld*

64 Legacy by Christopher Ogden *David Brooks*

65 The Jewish Search for a Usable Past by David G. Roskies *David Singer*

68 The Lexus and the Olive Tree by Thomas L. Friedman; Turbo-Capitalism by Edward Luttwak; False Dawn by John Gray *Christopher Caldwell*

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October 1999

Letters from Readers

Memoirs

To the Editor:

Regarding "A Man's Own Household His Enemies" [July-August], in which Gertrude Himmelfarb discusses my memoir of my father, Lionel Trilling: I have known Gertrude Himmelfarb all my life, and though I have long recognized that we are separated by an ideological gap whose dimensions I may never fully comprehend, I reckoned her a conscientious historian and a woman of honor, who would never stoop to willful misreading or *ad-hominem* attacks in the service of a predetermined agenda. I was mistaken.

Three examples will make my point. First, Miss Himmelfarb repeatedly criticizes me for relying on my mother's account of my father's behavior, as though I had no other sources. In fact, even if we leave my own memory out of account and stick to written documents, I quote extensively from the 30-odd notebooks that my father filled with observations on his social and intellectual life, from the 1920's until shortly before his death. Or do these not count because they are his *private* notebooks? Does Miss Himmelfarb the historian believe they should have been burned unread after he died?

Second, Miss Himmelfarb links my essay with "the postmodernist tendency that denigrates objectivity and rationality, elevates the reader or critic above the novelist or poet, and tries to undermine all 'hegemonic,' 'repressive,' 'authoritarian' modes of thought and behavior." In 1996 I sent her my article, "A Modernist's Critique of Postmodernism," which unequivocally condemns the postmodern mindset. I know she read my article because we corresponded about it. Has Miss Himmelfarb the historian such a short and selective memory?

Finally, she writes: "Apart from all its other faults, what is striking about this memoir is the way its author implicitly places himself on a par with his subject. . . ." This is about as *ad hominem* as it gets; does Gertrude Himmelfarb the historian call it an acceptable style of debate?

There remains, of course, the bigger question: why is she driven to protect my father from the suggestion that he had attention deficit disorder, as if I had charged him with a crime? Is she so out of touch with current research that she thinks it *is* a crime, or at least a disgraceful failure of self-discipline? Is she so infatuated with my father's image, the "character of prestige" that even he knew to be a sham, that she cannot see how much better off his reputation is without it? Or is the defense of my father's name against the taint of human imperfection merely one small task in a great and farsighted political project, for whose sake Gertrude Himmelfarb the historian is willingly reborn as Gertrude Himmelfarb the hatchet woman?

James Trilling
Providence, Rhode Island

To the Editor:

Bravo for Gertrude Himmelfarb's exposure of the shameless new crop of memoirs. In the present climate, her sensibilities will no doubt be dismissed and falsely attributed to a conservative political agenda. To the contrary, she is saying here only what every decent person, Left or Right, would say when confronted by these violations of privacy, family loyalty, and ordinary good taste.

All autobiographical writing (or writing in what Miss Himmelfarb calls the confessional mode) invites hubris. In writing autobiographically, a person tacitly asserts his radical independence and self-sufficiency, by becoming his own author and by defining who and what he is. Through auto-

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biography, any nobody can become somebody, the hero of a literary work. The memoir, especially when it is a personal recollection of another, offers more pernicious temptations. In the guise of recalling (hence, also re-creating) someone else, the memoirist propels himself onto center stage. He licenses his own indiscretion, sometimes blurring distinctions between himself and his subjects, sometimes gaining standing for himself by exposing their weaknesses. Because of its intimate voice, and its hitherto unknown "revelations," the memoir is far more likely to be taken for historical fact, particularly when it is written after its subject is dead or incapable of responding. The worst distortions, the most shameful betrayal of privacy, and the most shameless self-promotion are likely to occur in memoirs of famous persons written by their nearest and dearest.

Thanks to Miss Himmelfarb, no one can be mistaken about the adequacy or the soundness of James Trilling's shrunken and mean-spirited account of his justly famous father. And, however alluring his prose, no one can be mistaken about the gross impropriety of John Bayley's trafficking in the degradation of his distinguished wife, Iris Murdoch. But recognizing the clear deficiencies of these particular memoirs is not enough. As Miss Himmelfarb rightly suggests, the current crop of shameless memoirs is already seeding the next, and the future harvest will no doubt be worse. All the more reason to heed her warning and to cease nurturing this poisonous fruit with our foolish attentions and misguided praise.

AMY A. KASS
University of Chicago
Chicago, Illinois

TO THE EDITOR:

Congratulations to Gertrude Himmelfarb for her incisive analysis of the reductive memoirs of John Bayley and James Trilling. Bayley's memoir is in bad taste—an invasion of privacy; Trilling's is so silly that I thought it might be a parody when I first read it. If only I could blame my mediocre tennis game on attention deficit disorder.

STEPHEN MILLER
Reston, Virginia

GERTRUDE HIMMELFARB writes:

It is odd to be accused of "*ad-hominem* attacks" in a letter that opens with the charge that my essay is the result of either a "willful misreading" of James Trilling or a "predetermined agenda," and concludes that my defense of his father is part of "a great and farsighted political project" and that the historian in me has been reborn as a "hatchet woman." This is, as he says, "about as *ad hominem* as it gets."

The accusation is even odder in view of the fact that James Trilling's essay is itself an exercise in the *ad-hominem* mode. It is not only his father's "personality flaws" and the "sham" of his public image that James Trilling ascribes to attention deficit disorder. It is also his mind and spirit, the "quixotic intellectualism" that informs his literary criticism. For James Trilling, complexity, irony, ambiguity, subtlety are all symptoms of the same disorder. Thus his father's ideas and writings are judged not in their own terms but only as a reflection of the physiological deformation that is imputed to his person and character.

As for that disorder itself, I do not believe it to be either a "crime" or a "disgraceful failure of self-discipline." But I do find the assumption that Lionel Trilling suffered from it unfounded and irresponsible, denigrating both his person and his work.

I did not say that James Trilling had no other sources than his mother's account. To judge by his essay, however, she is a major source; certainly she looms larger in his essay than any other sources. The only extensive quotation from Lionel Tril-

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ling's notebooks is an expression of his disapproval of a particular doctoral dissertation and his dissatisfaction with the quality of the dissertations in general in the department. It has no bearing, so far as I can see, on ADD or any other disorder. It testifies rather to the high standards Lionel Trilling set for himself and his students (which most of his students and colleagues respected). The other few very brief citations, about his own discomfort with the image of his "public self," attest more, it seems to me, to his modesty than to the "sham" that his son makes of him.

I remember reading, and liking, James Trilling's essay on postmodernism. This is why I was all the more astonished to find him engaging in precisely the kind of analysis that is so typical of postmodernist literary criticism, where the critic professes to be the equal of his subject—in this case, by making the father and son equally afflicted by that incapacitating disorder ("he and I were in the same boat"), and by depriving the father of any intellectual or professional distinction that might elevate him above the son.

As a long-time friend of the family, I was also astonished, and distressed, to find not only a conspicuous lack of appreciation by the son of his father's admirable qualities (personal and public), but also a lack of respect for the privacy that his father so cherished and that his son was so acutely aware of. (He refers to it repeatedly.) What, I wonder, would James Trilling have thought if his father had violated *his* privacy in this manner? And what would he think if his wife or daughter were to do so after his death when he could not reply to it? This is not, after all, a biographer or journalist who is taking liberties with his subject. It is a son breaking faith with his father.

I am grateful that Stephen Miller shares my judgments of the memoirs I discussed, and that Amy A. Kass has put the issues in a larger context, taking it beyond the point where I ventured.

The Bible

TO THE EDITOR:

Hillel Halkin ["Can the Bible Be Trusted?," July-August], focuses on the Bible's historical accuracy but says little about the Bible as a source of moral values. The Bible, he declares, "is unique in its ability to evoke in us the illusion that it is not an illusion." But if, for the sake of argument, one takes the view that the Bible is neither divine revelation nor historically accurate, how does Mr. Halkin explain the fact that people trust the Bible as a source of moral values?

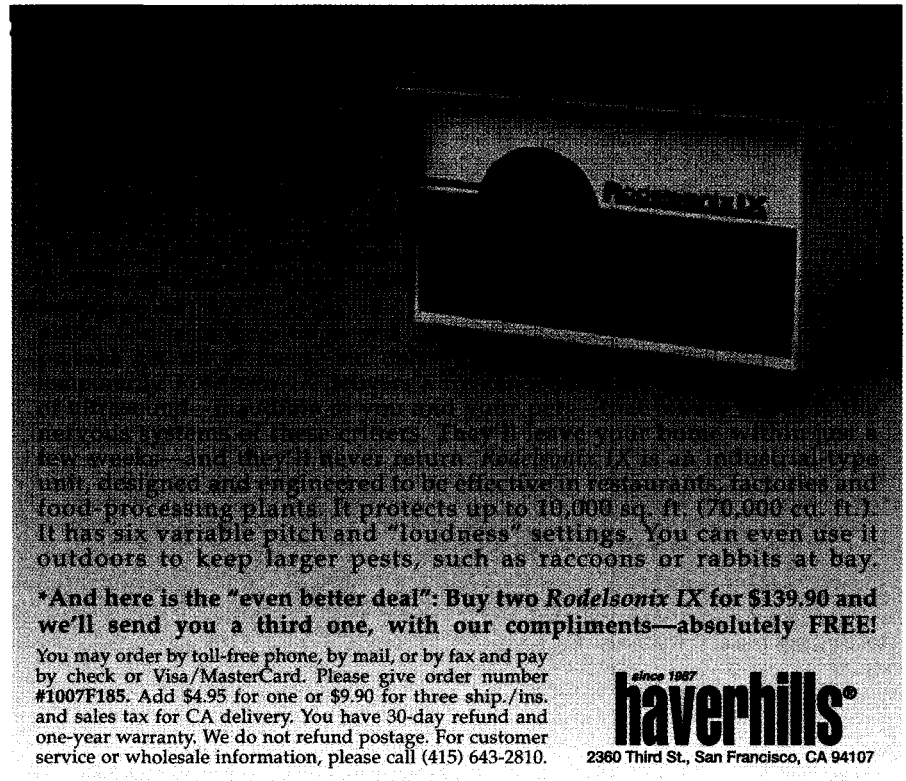
If Abraham and Isaac never existed, what vehicle would civilization have employed to transmit the traits of generosity, devotion, loyalty, and so on that both Abraham and Isaac espoused? Even if Joshua and the Israelites knocked down the walls of an otherwise empty Jericho (or even if the walls never existed in the first place), does that diminish in any way Joshua's leadership skills in taking over the stewardship of the Israelite nation after Moses' death?

Mr. Halkin concedes that the religious education of his childhood probably led to his being able to read the Bible "convinced it really happened." If so, one may ask whether the Bible's moral lessons would have had the same effect on civilization had it been written with less of an eye to literature and more of an eye to history. To this question, Mr. Halkin has no answer.

DORON BECKER
Potomac, Maryland

TO THE EDITOR:

Hillel Halkin does good work in explaining why the Bible, though unreliable as history, still resonates as literature. Yet the Bible has a third function: it is often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touted as the preeminent source of ethics. Can the Bible be trusted here?

Some biblical ethics are exemplary: loving your neighbor as yourself, showing concern for the widow and orphan. Some are deplorable: killing the Egyptian first-born, capital punishment for insolent children. And some are ambiguous: mitigating slavery (but only for Hebrew slaves), granting inheritance to a daughter but bypassing the widow.

If such laws are good by definition because they are in the Bible, we are in trouble. If, however, we may determine which ones are acceptable and which are not, that is another matter. Even the rabbis modified or semantically canceled those rules that were seen as too egregious (like the stoning of a stubborn and rebellious son).

If the Bible is a touchstone for ethical discussion, and an occasional source of pride in the Jewish heritage for some ethical advances, all the better. But we must always be willing to call a spade a spade, and give demerit where demerit is due. Blind faith in anything, even the Bible, can be dangerous. As Mr. Halkin concludes, "The Bible is not a book for children."

ADAM CHALOM
International Institute for Secular Humanistic Judaism
Farmington Hills, Michigan

TO THE EDITOR:

Hillel Halkin's essay is rich and provocative, as always, but as a philosophical brief, it has me mystified. For a while, he seems to be saying in effect that the literary attributes of the biblical text are such that the text could not have these attributes unless its propositions, in whole or part, were really true—about history, if not about God and ontology. But he expressly disclaims this intent at the end of the essay. So perhaps he means that the Bible could not have had the psychological/cultural impact it has manifestly had down the generations unless its hearers believed the stories to be true. This certainly is the case, but, alas, it is also a truism, one that would apply equally to generations of Greek youths raised on Achilles or to 8th-century Angle children hearing about Beowulf.

Mr. Halkin has a genius for making the biblical text simmer and throb, and is worth reading for this reason alone, but I am left wondering exactly how he thinks he has answered his essay's title question, which is not about beliefs but about truth—isn't it?

THEODORE S. VOELKEL
Winchester, Massachusetts

TO THE EDITOR:

Although the thrust of Hillel Halkin's argument is not affected by it, a minor oversight should not be allowed to mar his essay. Genesis 24 speaks of Abraham's major domo, Eliezer, not Isaac, as Mr. Halkin states, traveling to Haran with camels. There is no sign in the biblical text that Isaac ever left Canaan. Years later, Isaac's son Jacob did indeed make the trip to Haran; he fled to his, not Isaac's, uncle Laban, and the text gives every indication that he journeyed on foot with only his staff in his hand.

DEVORAH ROBINSON
Flushing, New York

TO THE EDITOR:

In his stimulating article, Hillel Halkin states that "oral traditions constantly mutate" in the process of transmission. Apparently, the transmission of justly famous literary phrases—and their authors—undergoes the same transmogrification. Mr. Halkin assigns the phrase "suspension of disbelief" to Keats, when, of course, it was Coleridge who wrote of "That willing suspension of disbelief for the moment, which constitutes poetic faith" (*Biographia Literaria*, Ch. 14).

MILTON BIRNBAUM
American International College
Springfield, Massachusetts

TO THE EDITOR:

I applaud Hillel Halkin in presenting, with his characteristic erudition, the newest manifestations of the supposed conflict between Scripture and truth. This battle was long escaped by the traditional rabbinic technique of overinterpretation, which yielded legal and ethical meaning from the simplest (and often least obvious) of biblical passages. The Bible was seen by the rabbinic consensus as a treasure trove of values and standards. Those with trained and pious eyes could see and determine much more than could any mere pedestrian reader.

It is modernity and the myth of scientific history that have brought this issue to the upper reaches of Judaism's contemporary agenda. We moderns do not like to be fooled or treated like gullible children, as Mr. Halkin so cogently observes. Is the Bible true (history) or make-believe (fiction)? And if it is not the former, who needs the latter?

If I may briefly expand upon Mr. Halkin's somewhat tentative response, the answer lies in the very nature of truth and history.

Truth comes to us in many forms. Scientific truth—say, the elements of the periodic table—is established by techniques of repetitive and quantifiable accumulation and organization of data. Emotional truth—say, your mother's love—can neither be proved nor quantified, but is nevertheless abundantly true. Moral truth—say, the wrongness of the deliberate taking of innocent life—is neither scientific nor emotional but determined by reference to religious dogma and confirmed by the focused application of human rationality.

It is only the advent of modernity and of the concomitant myth that history is a scientific enterprise that has confused our capacity to read the Bible's narratives. As Yosef Hayim Yerushalmi cogently argued in his seminal work *Zachor*, the purpose and intention of history is and always has been the organization (or, better, the manipulation) of the past in order to justify the present. Can there be any question that a Confederate history of the American Civil War or a revanchist German history of World War I or a Marxist history of the fall of the Soviet Union would yield far different accounts from those of a conventional rendering?

As the Genesis account of Creation makes clear, the Bible is not interested in science or scientific truth or scientific history. Its presentation of sacred history yields a God-centered universe, whose governing Central Authority rules according to a grand moral design.

Are *King Lear* or *The Adventures of Huckleberry Finn* true? Not as science, sure-

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ly, but as expositions of moral and emotional values, certainly. And so is the Bible, only more so.

[RABBI] CLIFFORD E. LIBRACH
Sharon, Massachusetts

TO THE EDITOR:

Hillel Halkin argues that in my new book, *The Mythic Past*, I give an extremely negative response to the question posed in the title of his article. This is unfortunate, since the book does not deal with this question, but asks, rather, whether biblical archeology and the scholars in the field can be trusted. I do not practice Bible-bashing but engage in a debate that has been pivotal in biblical studies and research in the history of Palestine since 1974. By linking me with an anonymous clique of those he calls "biblical minimalists," however, Mr. Halkin misrepresents and seriously distorts my views.

Some of the arguments that Mr. Halkin implicitly misattributes to my book are: (1) that there is no historical basis to biblical narratives in Genesis through 1 Kings; (2) that biblical history begins with the separate kingdoms of Israel and Judah; (3) that the oldest parts of the text of the Bible are no earlier than the late-6th century; (4) that Canaanites were responsible for changes in the settlement patterns of Palestine from the 16th to the 10th centuries B.C.E.; (5) that much of the Bible was composed coevally with the writing of the Dead Sea Scrolls; (6) that the Book of Psalms is contemporary with the Thanksgiving Psalms of the Dead Sea Scrolls; (7) that the Bible's authors invented "old Israel" in order to appoint themselves its religious heirs; (8) that the Bible is an obviously inconsistent, unrealistic, and tendentious document; and (9) that the stories of Abraham and the sacrifice of his son in the Bible and in Jubilees share a common intellectual world. I neither believe nor argue any of these things.

Toward the end of this long series of distortions, Mr. Halkin suggests that I have read the Bible with a tin ear by playing down the literary sensibilities implied in texts that behave in strikingly unliterary ways. But this is quite similar to my argument, in the third section of my book, that the Bible does not consist of collected literary texts. The Bible presents *secondary* texts: commentaries on the tradition that reflect the discourse of scholars. It is this that links Genesis and Jubilees. Similarly, I discuss the two variants of the tale of David finding Saul asleep in 1 Samuel 24 and 26 to show that the biblical text is not interested either in telling stories or in recounting events. The Bible is, rather, telling a moral tale about the role of the king as servant of the divine.

Mr. Halkin asserts with surprising confidence that such variants "demonstrate [their] authors' conviction" that they had no right to expand or diminish the tradition. This anachronistically attributes to the biblical author common rabbinic sensitivities of more than a half-millennium later. The relationship of Chronicles to Genesis and Kings, of Jubilees to the Pentateuch, and of the whole of the Qumran corpus and Josephus to biblical literature more than shows that biblical traditions exercised a right to change, expand, debate, and paraphrase freely. Hardly something I play down or ignore, this is one of the most important themes of my book and is treated at great length.

Mr. Halkin further attempts to reject my dating of biblical texts by stating that oral traditions—unlike texts—are inherently undatable. This is in fact my own point. I argue for a chronology for biblical texts in the Hellenistic period. This is where the evidence is. At any earlier time, we have something other than the texts one can read today in the Bible. The wisdom, songs, and stories that the authors of these texts have collected have a literary tradition behind them that we can prove goes back at least to the beginning of the second millennium B.C.E. and—I think—to the earliest stories ever told.

Like Mr. Halkin, I too have argued that the Hebrew language cannot be used to date biblical texts, and I too have found the purported anachronism of Genesis 24 so trivial that I did not even mention it. In fact, I argue—*ad nauseam*, I am afraid—that the whole issue of historicity is irrelevant.

Although much in Mr. Halkin's essay leaves me uncertain as to whether he agrees with me and has even borrowed from my book freely, if surreptitiously, to argue against his fictive "minimalism," I am appalled by his insinuation that I would endorse the following proposition:

> If the Jewish people's claim to a 4,000-year-old relationship with Palestine is largely imaginary, and the first real Jews were Hellenized Babylonian-Canaanite *mischlings* who projected a self-serving national legend onto the past, is not the better claim [to Israel] that of the "real" Canaanites—the Palestinians?

For polemical purposes, Mr. Halkin—by way of a modern, politically-motivated racist dichotomy—overlooks my contention that the Canaanites are mythic Israel's fictive counterpart, as well as the fact that neither the Jews of antiquity nor their tradition are to be understood in terms of national legends, whether ancient or modern. The biblical tradition is anti-nationalist. It is universalist.

In a footnote, Mr. Halkin adds that though my argument "carries a strong whiff of secularized Christian supersessionism," I do not "push such reasoning to its limits." This half-hearted retraction of some of the malice in his earlier attribution does not lessen its slanderous potential as a description of my work. Hardly motivated by Christian supersessionism, I specifically identify biblical supersessionism as the foundational ideology of Christian anti-Semitism. Readers are invited to examine my detailed and text-based discussion of Judaism and ethnicity that has given occasion to this final cut of Mr. Halkin's.

THOMAS L. THOMPSON
University of Copenhagen
Copenhagen, Denmark

HILLEL HALKIN writes:

It is tedious to have to remind Thomas L. Thompson of what he wrote in his own book, but since he ap-

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pears to have forgotten, I have no choice. All nine of the positions that he claims I have "misattributed" to him are set forth in the pages of *The Mythic Past*, often at length and in more than one place. For example, in regard to Point 1 ("that there is no historical basis to biblical narrative in Genesis through 1 Kings"), Mr. Thompson writes on pp. 190 and 206:

> The patriarchs of Genesis were not historical. . . . I have argued that there is no room [in real history] . . . for such kings as those presented in the biblical stories of Saul, David, and Solomon. The early period in which the traditions have set their narratives is an imaginary world of long ago.

Point 2 is stated on p. 81: "The formation of biblical narrative was a process that created the Israel we know. It had its earliest roots in the period of Assyria's domination of Palestine." This domination began in the mid-8th century B.C.E., well after the supposed split between Israel and Judah.

Point 5 can be found on p. 199:

> The Maccabees [whose dynasty, beginning in 168 B.C.E., overlapped the composition of the Dead Sea Scrolls] . . . galvanized and altered our understanding of Jewish monotheism as an exclusive worship of the one and only true God. . . . It was in this context of "Talibanism" [*sic*], reflected in the formation of the traditions in the Books of Maccabees, that the major collections of the Hebrew Bible took their definitive shape.

Point 6 is set forth on p. 238: "The Book of Psalms is a large collection of poetic texts presented as 150 songs. . . . [I]t is quite clear that the process of song collection and writing, which created our biblical book, was not yet complete when the Dead Sea Scrolls were written."

Point 7 is stated on p. 78: "[T]he Bible created an entire past for its 'old Israel.' It built this fiction out of traditions, stories, and legendary lore. . . ."

Point 8 is argued on p. 72:

> The biblical traditions reflect but incoherent, part fictive, remnants of a past. . . . Dependability in reflecting the past had nothing to do with the selection. It is the meaning that the stories could bear that brought about their preservation and transmission.

Point 9 appears on p. 337: "The common ground between the composition of Jubilees and Genesis is impressive. . . . Jubilees and Genesis must be seen as sharing a common intellectual world."

This leaves Points 3 and 4, Mr. Thompson's positions on which I should have stated more accurately: these are that he holds that *nearly all* of the Bible was written in or after the late 6th century B.C.E.; and that he disapproves of the word "Canaanites" when used in opposition to "Israelites," since he believes the opposition to be a false one and thinks the local inhabitants "responsible for changes in the settlement patterns of Palestine from the 16th to the 10th centuries B.C.E." lived at a time when no people corresponding to biblical Israel existed.

As for what I called Mr. Thompson's "secularized Christian supersessionism," what better demonstration of this could there be than his remark in *The Mythic Past* about the "context of 'Talibanism'" in which the Bible must be read or his comment in his letter on the "anti-nationalist" and "universalist" nature of biblical tradition? Of course, "universalism" and "Talibanism" do not exactly go together, but that is precisely my point: for Mr. Thompson, as for Christianity in general, the "Old Testament" consists of two intertwined books, one preaching an inclusivist religious universalism and the other an exclusivist religious particularism from which the first book needs to be liberated. Judaism, needless to say, makes no such distinction. Why Mr. Thompson thinks it malicious of me to at-

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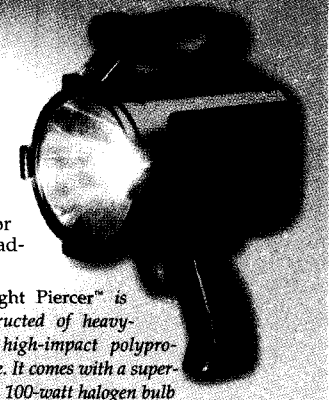

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tribute to him (quite rightly) such a reading of the Bible escapes me, however. Does he think I am accusing him of something shameful?

Both Doron Becker and Adam Chalom raise the question of the Bible as a source of moral values. Mr. Becker suggests that, were the Bible less powerful as literature, it would be a less effective moral guide. Mr. Chalom argues that, on the contrary, the Bible's literary power is dangerous because it can lure us into accepting moral standards that should be rejected. Together they make the point that, for good or for bad, the Bible is an unusually seductive book. I agree.

Since the ending of my essay was deliberately left to the reader to interpret, I can hardly blame Theodor S. Voelkel or Clifford Librach for their interpretations. In writing my last sentences, though, I intended neither to disclaim nor to affirm the truth of the Bible's propositions about history, God, or ontology. I did wish to imply that, to the extent that we take the Bible seriously as literature, we must take the nonliterary truth of these propositions seriously, too. I do not think this true in quite the same way of other great works of literature.

I thank Devorah Robinson and Milton Birnbaum for their corrections.

Ralph Ellison

TO THE EDITOR:

First, I would like to commend Norman Podhoretz for his essay, "What Happened to Ralph Ellison" [July-August], a passionate and highly personal—almost confessional—examination of his relationship to Ellison and his work. I wish to thank him as well for quoting from my essay, "The Singular Vision of Ralph Ellison," though he failed to provide attribution for that citation. But I must, I am afraid, point out a few problems I have with this article, mistakes that white readers (and especially those on the Left) have made with respect to black America and its literature for most of this century.

For Mr. Podhoretz, *Invisible Man* does not pass the "acid test of greatness" because it does not deliver more to its readers on each revisiting, as (in his opinion) does Tolstoy's *Anna Karenina* or George Eliot's *Middlemarch*. True enough, Ellison's characters are flat, symbolic, but no more so than those in Voltaire's *Candide*. I would wager that the reason for Mr. Podhoretz's reaction can be found in the simple fact that most white Americans (and many blacks) are *blind* (as Ellison might put it) to the history of countless contributions that black Americans have made to this country on all levels—economic, political, and cultural—since the time of the colonists.

In addition, Mr. Podhoretz claims that *Invisible Man* is dated because blacks in the post-civil-rights (and Black Power) period are so highly visible, "the most salient group in the American consciousness." Some of the "visible" blacks Mr. Podhoretz mentions are Al Sharpton and those responsible for "black violence and criminality, the fear of which has spread even among the most sympathetic white liberals." But he does not list black people making substantial contributions to this nation's well-being such as the late astronaut Ron McNair, who died in the *Challenger* tragedy, or Joseph Marshall, a MacArthur fellow and founder of the Omega Boys Club, which is devoted to helping at-risk young black men. I could easily list others, but my point should be obvious: the media's emphasis on black entertainers, gang-bangers, and athletes renders largely *unseen* the remarkable variations in living—and achievement—that can be found in the still mostly uncharted black world, past and present.

Furthermore, we do Ralph Ellison (and all black writing) a disservice if we read his text on the most pedestrian political, sociological, or surface level. *Invisible Man* is a multilayered book, one that delights in play and ambiguity. And Ellison's central thesis is universal. While blacks may be more "visible" today, Hispanics, Asians, Pacific Islanders, new African immigrants to America, and Native Americans are not—they, as easily as blacks 50 years ago, can make a case for being "invisible" men and women in contemporary America.

Yet even this observation does not entirely clarify the issue Mr. Podhoretz raises, for we must go further and admit, honestly, that on some level we *all* remain invisible to one another. Men and women. Blacks and whites. We are all victims of attempts (from the Left and Right and Center) to define and categorize us, to use us as Dr. Bledsoe, the Brotherhood, and Ras the Exhorter attempt to shape the protagonist of *Invisible Man*.

In the face of this perennial problem, Ellison courageously called for the most demanding and (for some) frightening of freedoms:

> [T]he thing that Americans have to learn over and over again is that they are *individuals* and they have the responsibility of *individual* vision. . . . We create the race by creating ourselves and then to our great astonishment we will have created something far more important: we will have created a culture.

Ellison's statement underscores one of several points on which I agree completely with Mr. Podhoretz: in his nonfiction works *Shadow and Act* and *Going to the Territory*, Ellison delivers a crucial—and expansive—vision of traditional humanism that emphasizes the centrality of the individual in a democracy. Given the ahistorical, ideological, and postcultural character of American society in 1999, that vision, which is embodied no less in *Invisible Man* and *Juneteenth* than in his brilliant nonfiction, is one that we can ignore—as we enter the 21st century—only at our own risk.

CHARLES JOHNSON
University of Washington
Seattle, Washington

TO THE EDITOR:

Norman Podhoretz's authority to pronounce Ralph Ellison's literary reputation undeserved, *Invisible Man* overrated, and *Juneteenth* merely derivative is dubious. He admits that he is "not a good . . . scholar of black writing in America" and is unsure whether prior to *Invisible Man* any black authors had published works that were not protest nov-

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els. That he does not know Zora Neale Hurston's *Their Eyes Were Watching God* or James Weldon Johnson's *Autobiography of an Ex-Colored Man* suggests a serious deficiency in his capacity to define the greatness of an African-American—indeed, any American—literary work.

Such ignorance explains why Mr. Podhoretz misses literary echoes of writers he has never read, and so once he finds Faulkner's voice in *Juneteenth*, he hears it even more clearly than Ellison's. Less understandable, though, is his failure to detect T.S. Eliot in the "Faulknerian" passage he quotes from *Juneteenth* (cf. "The Waste Land" and "Journey of the Magi"), and his dismissal of Ellison's use of imitation and allusion as sheer "derivativeness." Surely he is acquainted with the classic defenses of literary imitation.

Mr. Podhoretz's poor opinion of *Juneteenth* has apparently led him to publish a revised opinion of *Invisible Man*. Out of several quarrels I have with him on this book, I will mention only his disparagement of the novel's main theme—the invisibility of African-Americans—as irrelevant, "quaintly archaic," as Mr. Podhoretz puts it. While he is right that discussions of prejudice today are more open and probing than in the 50's, American whites are still as blind to blacks as ever because consciousness-raising has tended to make whites more self-conscious, not more aware of blacks as persons. Besides, Ellison's book is a novel, not a societal analysis or polemic; its greatness is no more compromised by its theme than are Jane Austen's novels, whose themes center on social relations that are as "quaintly archaic" as can be. Mr. Podhoretz's criticism might make sense against fiction published today, but is irrelevant to *Invisible Man*.

In any case, Mr. Podhoretz seems more interested in talking about his personal interactions with Ralph Ellison, a man whom by his own account he never succeeded in knowing, than in extended literary analysis. It is hard not to suspect that this failure to get close to Ellison aroused in Mr. Podhoretz a sense of grievance. As his subtly nasty account unfolds, he earnestly recants his biased judgments against Ellison's work during the 60's, thereby creating an aura of objective reflection for his biases of the 90's.

JUDY LIGHTFOOT
Seattle, Washington

TO THE EDITOR:

In his otherwise excellent reassessment of the career of Ralph Ellison, Norman Podhoretz makes of Irving Howe rather more of a straw man in his 1963-64 debate with Ellison than in fact he was. True, Howe's essay, "Black Boys and Native Sons," started from the assumption that black American writers form a distinct genre in American literature and are to be considered mainly in relation to one another rather than to, say, Thoreau and Emerson, Faulkner and Hemingway. But the essay's few remarks about Ellison himself are mostly laudatory, its reservations about *Invisible Man* very few. Howe objected to Ellison's depiction of his Stalinist figures, who are "so vicious and stupid that one cannot understand how they could ever have attracted him or any other Negro." Given Howe's loathing of Stalinists, this is more an aesthetic than a political criticism.

Far more troublesome to Howe was the "implausible assertion of unconditioned freedom with which the novel ends." To these measured criticisms, which could fairly be called analytic rather than hortatory—and nowhere did Howe say that Negro writers should not become too interested

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in literary craft, or that they must choose between good writing and active, militant citizenship—Ellison replied in a fierce and exaggerative (albeit often shrewd) essay in the *New Leader*. He accused Howe of offering up "the Northern white liberal version of the white Southern myth of absolute separation of the races" and declared that Howe stood for a social order more fearful than the state of Mississippi—a remark that brought Howe (in round two of the debate) close to challenging Ellison to a duel.

Ellison's lengthy attack on Howe's essay was followed by a short rejoinder by Howe, which in turn provoked another elaborate rejoinder by Ellison. Howe never really answered this, but he did, in 1969, offer a low-keyed, conciliatory addendum to the debate, in which he extended a friendly hand to his adversary:

> [B]oth of us believe in the unity of experience and culture, both of us believe that the works of literature produced by black men should be judged by the same aesthetic criteria as those produced by white men, both of us resist attempts . . . to reinstitute a new version of social and cultural segregation.

In January 1990, Howe added a brief coda to the by-now epic saga of his dispute with Ellison. He described the new "black aesthetic" and rejected it because a distinctive black experience no more warranted the claim for a distinctive black aesthetic than a distinctive Jewish experience would warrant a special Jewish aesthetic. But he did finally (and graciously) concede a major point of the debate to Ellison: namely, "the charge that I underestimated the capacity of oppressed peoples like the American blacks to create a vital culture apart from social protest."

EDWARD ALEXANDER
Seattle, Washington

NORMAN PODHORETZ writes:

I apologize to Charles Johnson for failing to identify him as the author of the passage I quoted from his essay on Ralph Ellison. I also thank him for his commendation of my own article. But just as he has "a few problems" with that article, so do I with his letter about it.

To begin with, it is hardly a matter of "opinion" or of an idiosyncratic literary taste that *Anna Karenina* and *Middlemarch*, like all great works of art, reveal new aspects of themselves whenever one revisits them. Secondly, with all due respect to *Candide*, it is not exactly a novel as that term has generally been used and understood. More to the point, it is not the kind of fictional work that Ellison was trying to produce. As he himself repeatedly stressed, he aspired to write a book that might, precisely, stand beside the 19th-century examples I mentioned and their successors in the 20th century. Of these, the last thing anyone (including, as is evident from his critical writings and interviews, Ellison himself) would say is that they feature "flat" characters. In other words, in expressing disappointment with *Invisible Man* after reading it for a third time, I was measuring it by his own beliefs and aspirations as a novelist, as well as my own critical judgment.

So much for the strictly literary problem I have with Mr. Johnson. But I also have a problem with the rest of his letter, which concerns itself with extra-literary matters. I am well aware of the many "black people making substantial contributions to this nation's well-being," and I only wish that more black leaders, or those who are accepted as such, not only by the media but by their own people (Jesse Jackson and Louis Farrakhan are just two examples that come to mind), would show such an awareness themselves instead of harping incessantly on the failures and problems of the black community. The fear of black violence and criminality has become so salient because it is a far more pervasive reality in American life today than it was when Ellison wrote *Invisible Man*. But that salience is heightened by the exploitation of such violence by black leaders as a way of deflecting blame onto whites and attracting attention and other rewards for themselves. Ralph Ellison castigated this tendency "to trade on one's anguish for gain or sympathy" as "obscene," and I agree with him so wholeheartedly that I quoted those words twice in my essay.

Finally, while Mr. Johnson does not dispute my contention that blacks are no longer "invisible," he claims that other groups now are, and that this gives continuing point to Ellison's novel. But even if he were right, these groups could only be made "visible" through novels about them in which they were treated, precisely, as "individuals." Yet the very politicization to which they have yielded in the hope of achieving social and economic progress exacts the very price that neither I nor Mr. Johnson (let alone Ralph Ellison) thinks is worth paying: they come to be regarded, by themselves no less than others, as members of a group rather than as individuals.

I have a few problems with Judy Lightfoot as well. First, in questioning my "authority" (or does she mean my right as a white man?) to write a critical essay about Ralph Ellison (something I am positive he himself would never have done), she uses ellipses and crude paraphrases to misrepresent my ideas. I did not say that I was "'not a good . . . scholar of black writing in America.'" I said I was not a "good *enough*" one to assert "with full confidence" that *Invisible Man* was the first black novel "to free itself from the disabilities" of the protest novel. If Miss Lightfoot wants to go around questioning the credentials of other critics, she would do well to become a more careful reader and more scrupulous in argument. Be that as it may, I have, as it happens, read Zora Neale Hurston, but I would not place her in the same class as Ellison. I confess that I do not know the book by James Weldon Johnson Miss Lightfoot also mentions. But I have never believed that a critic has to have read everything ever written before earning the right to pronounce on a particular work. Does she?

I also confess that I did not hear echoes of T.S. Eliot in the passage I quoted from *Juneteenth*. If they were there at all, they were drowned out by the voice of Faulkner. And yes, I am acquainted with "the classic defenses of literary imitation," one of which comes from Eliot himself. However, such im-

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FRED SIEGEL

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itation does indeed become derivative if the material in question is not creatively assimilated and transformed. This is the case in *Juneteenth*, though not—as I made clear in another passage Miss Lightfoot seems to have misread—in *Invisible Man*.

On the question of whether *Invisible Man* is dated, Miss Lightfoot invokes Jane Austen. Well, I specifically mentioned Jane Austen myself, and precisely in order to make the point that her novels transcend their archaic settings in a way and to a degree that *Invisible Man* does not. Taking another bite of the apple (one that has grown poisoned over the years), Miss Lightfoot goes on to claim that "American whites are still as blind to blacks as ever." But if that were so, there would be nothing archaic about Ellison's theme and no need to bring in Jane Austen. But, literary considerations aside, Miss Lightfoot's assertion is simply not true, and to go on accusing whites of such blindness is itself a symptom of blindness and yet another way "to trade on one's anguish for gain and sympathy."

Finally, Miss Lightfoot talks about the personal part of my essay as though she has caught me out, when it was I who raised, and answered, the very question with which she triumphantly concludes. She also seems to think that to judge *Invisible Man* as less than truly great is to attack it. But let me remind her, and Mr. Johnson as well, of what I actually wrote: "If *Invisible Man* is not the great novel it has been taken to be, it still ranks among the best we have had in the past half-century." Some attack.

Edward Alexander (whose opening words of praise I appreciate) is, as usual, a little too kind to Irving Howe. At the time he published "Black Boys and Native Sons," Howe was caught up—as I myself was—in the special political fevers of the early 60's with respect to "the Negro problem," and Ellison was right in detecting the undertone that offended him beneath the praise that Howe was much too sophisticated a literary critic to omit. Later Howe cooled off—not as much as I did, to be sure, but enough to make the admission Mr. Alexander quotes at the end of his letter, and on which I rest my case.

Kosovo

TO THE EDITOR:

Joshua Muravchik's exposé of the fumblings and tergiversations of the NATO powers and President Clinton ["The Road to Kosovo," June] is not a substitute for a fundamental appraisal of the legitimacy of that ill-conceived adventure. Excellent scholar that he is, Mr. Muravchik is obviously cognizant of all the factors that affected the fateful decision to bomb, but he presents them in a surprising way. Thus, almost at the beginning of the article he states that Slobodan Milosevic "refused to sign an agreement providing autonomy for the province of Kosovo." This is disingenuous. The Rambouillet document contained clauses that no self-respecting head of an independent state could accept. The "autonomous" status granted to Kosovo effectively amounted to the virtual independence of a region of the Yugoslav Federation, with provisions for a fully-fledged government dominated by an irredentist Albanian majority, complete with president, prime minister, legislature, and total control over the economy, internal policing, foreign affairs, and powers of veto over any federal legislation not to its liking. So the real issue here is not autonomy for Kosovo, which Serbia had repeatedly stated it was prepared to reinstate, but *independence*, which it was not. I am surprised by Mr. Muravchik's apparent gloss on this key point.

A thorough examination of the Kosovan adventure, taking into account the salient points of the Rambouillet document, would have to consider the following point: should a caucus of foreign powers (not UN-empowered) take matters into its own hands and brutally intervene militarily in the internal affairs of an independent country?

Mr. Muravchik himself quite rightly questions the legality of such an action, as he also questions what kind of precedent this intervention will set for other conflicts. Unlike Bosnia-Herzegovina and Croatia, which were formerly republics within the Yugoslav Federation, Kosovo is constitutionally defined as an Autonomous Region of the Federation. By any definition, then, the problem of Kosovo is an internal one. The dispute over Kosovo is one of great complexity and delicacy because of the centuries-old historical link of that province with the birth of the Serb nation. Despite the trendiness of the opposite view, national history does matter and is still an important component in fashioning the emotional backdrop of most normal people.

There can be no doubt, as Mr. Muravchik also points out, that the sufferings of the Kosovars enormously increased from the moment NATO air attacks began. In Kosovo, the Kosovo Liberation Army (KLA) was in a state of open rebellion, having instituted a reign of terror not only against Serbs but against many fellow Albanian Kosovars who had refused to join its ranks. In these circumstances, no intelligent person could question the fact that, in the real world inhabited by real and, in this case, rather unsophisticated people, the bombing was likely to lead to the appalling events that followed. Hence the more unintelligible and irresponsible the order to go ahead and bomb.

Finally, and this overtakes Mr. Muravchik's article time-wise, the terms agreed upon for the cessation of hostility in Kosovo essentially concede to Milosevic what he was probably prepared to agree to from the very beginning: Kosovo remains part of the Federal Republic of Yugoslavia with its autonomous status to be restored and UN-empowered (NATO plus Russian) troops to ensure safety within the Kosovo region for all its inhabitants until that final status is achieved.

It is a sobering thought that this outcome could have been achieved with intelligent and patient handling of the negotiations before the issuing of that brutal "take-it-or-leave-it" ultimatum that led to the Kosovo tragedy. Two thousand Serbs and possibly a similar number of Albanian Kosovars would not have

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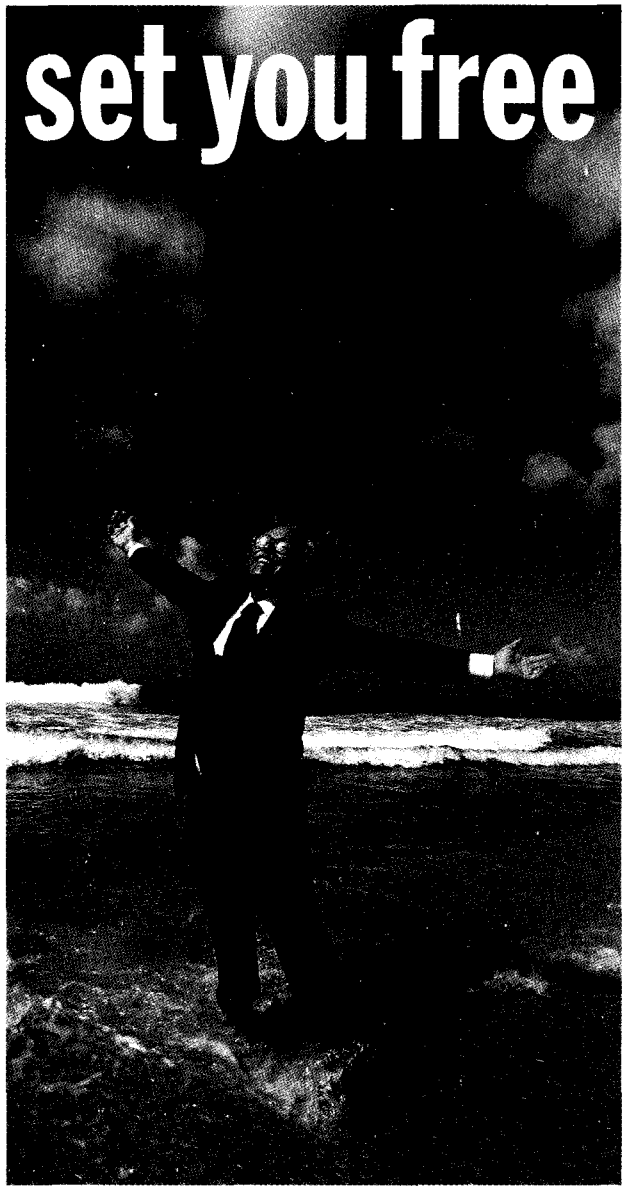

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perished, hatreds would not have become far worse than they had been, and a whole country, not overly rich to begin with, would not have been laid waste.

M.J. COHEN
London, England

JOSHUA MURAVCHIK writes:

M.J. Cohen accuses me of being "disingenuous." This is a harsh word, but since he has brought it up, let me point out some examples of his own disingenuousness. He says that the death toll in Kosovo amounted to "two thousand Serbs and possibly a similar number of Albanian Kosovars." But, as he must know, the estimate by responsible international authorities of the number of Albanian dead is many times that. As he must also know, the Serbian victims were mostly combatants killed by bombing, while the Albanians were mostly civilians, killed in cold blood.

Mr. Cohen echoes my observation that suffering in Kosovo increased upon the commencement of NATO bombing, but then he cites only the terrorist activities of the KLA. Although the KLA was indeed guilty of terrorist acts, it largely melted away under Serbian military pressure. What caused the increased suffering, as again Mr. Cohen must know, was the fact that the Serbs responded to the bombing with a campaign of mass murder and ethnic cleansing against the entire Albanian population.

He also invokes the "centuries-old" "delicacy" of the Kosovo dispute, but this is eyewash. Kosovo was relatively stable as an autonomous region until Milosevic canceled that status and carried out a campaign to inflame Serb nationalism, all as part of a cynical strategy by this former Communist to hang onto power by transforming himself from a Communist into an avatar of the Serbian cause.

Mr. Cohen insists that the current settlement is no different from what Milosevic was ready to accept all along. In that case, one wonders why he did not say so earlier (and why the Serbian population is now fleeing Kosovo).

The first point in Mr. Cohen's letter is substantively true: the Rambouillet plan probably would have put Kosovo on the path to independence. It is reasonable to question the propriety of outside powers delivering such an ultimatum. I myself, as he acknowledges, doubt the legality of such actions. But an honest discussion requires, as well, the acknowledgment that as a result of Milosevic's twelve-year campaign of war and demagogy in the name of Serb nationalism, no equitable and workable solution to the Kosovo mess was likely to be found.

A.B. Yehoshua

TO THE EDITOR:

Alan Mintz's review of A.B. Yehoshua's beautiful novel, *A Journey to the End of the Millennium* [July-August], is tendentious and misleading. After telling us

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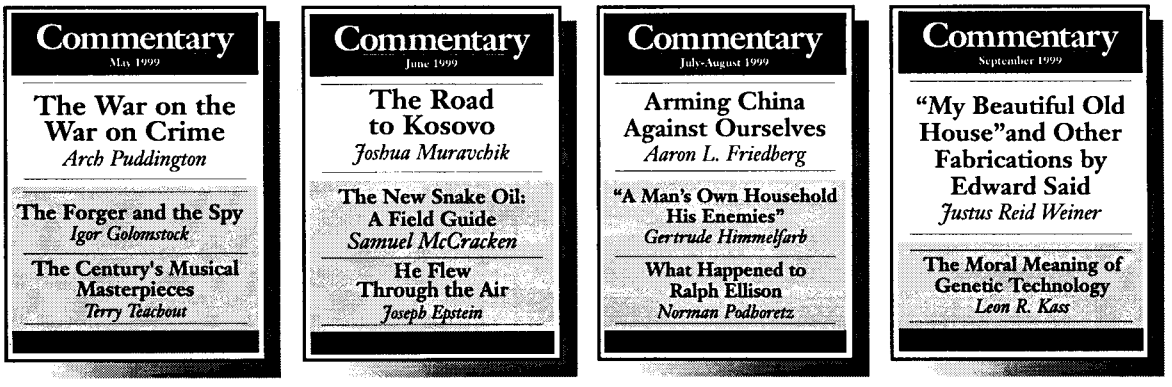

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of the failed attempts of the novel's protagonist, Ben-Attar, to have rabbinic authorities recognize the legitimacy of his two wives, Mr. Mintz presents a tidy summary of what he calls the book's "philosophical scaffolding": "Sephardi culture . . . is made into nothing less than the bearer of Eros while Ashkenazi culture . . . becomes the bearer of Thanatos." Without wanting to spoil the story for your readers, let me just note here that the last part of the book, which Mr. Mintz ignores, narrates what happens after the second of the rabbinical-court proceedings involving Ben-Attar's dual marriages. In this lengthy coda, Yehoshua movingly evokes the strong bonds between the two cultures that persist despite, and are even created by, the conflict over the legitimacy of Ben-Attar's marital state. One must be seriously tone-deaf to finish the book and conclude, as Mr. Mintz does, that one has read a "stale" rehash of the ideas of "countercultural gurus."

It would be too bad if Mr. Mintz's grossly simplifying review led COMMENTARY readers to pass up a rich and rewarding literary experience. There are not many of them on offer these days.

MICHAEL W. SCHWARTZ
New York City

ALAN MINTZ writes:

Michael W. Schwartz and I agree that *A Journey to the End of the Millennium* is a beautiful and invigorating novel, but we may reasonably disagree as to whether some of its more conceptually ambitious aspirations are realized. The complex plotting in the novel's conclusion may indeed invoke a vision of an interplay between Sephardi and Ashkenazi modes, yet I am not convinced that these constructs can bear the weight of the vision.

Michael Jordan

TO THE EDITOR:

Joseph Epstein has been one of my favorite essayists for years for many reasons, not least of which is his ability to use language with elegance and precision. Thus, I assume my confusion after reading his article on Michael Jordan ["He Flew Through the Air," June] is my fault, not his.

The confusion is caused by the fact that Mr. Epstein deliberately distinguishes between Jordan's ability to jump high and his ability to "maintain himself in the air," and goes on to refer to this ability as "hang time." Lots of sports broadcasters apparently believe that Jordan can somehow negate the law of gravity, but I am hoping that Mr. Epstein had something else in mind.

KENNETH BURKE
Las Vegas, Nevada

TO THE EDITOR:

Joseph Epstein has written a fine article. I admit to being a fellow Jordanologist. Michael Jordan is the greatest basketball player in history. Those of us who had the pleasure of seeing him in person feel very fortunate indeed.

Jordan was always the star, which is why he retired. He could have played for several more years as one of the best, but he would no longer have been the best. But he went out bigger than life in the last game he played, against Utah last year. In the final 30 seconds, he made two baskets, stealing the ball to score his winning shot with five seconds left. It was an ending deserving of Hollywood. But if a novel had been written with Jordan as the main character, Hollywood would have rejected it as "not believable."

PHILIP J. SCHILLER
Chicago, Illinois

TO THE EDITOR:

Joseph Epstein's piece on Michael Jordan was, as usual, on the mark, written with the wit and style that have made him the premier essayist of the past three decades.

SIDNEY HELFANT
Brooklyn, New York

TO THE EDITOR:

Two corrections to Joseph Epstein's otherwise engaging piece on Michael Jordan. First, the 1999 NBA season was not "truncated by a long strike," as Mr. Epstein maintains. The NBA, along with the owners of the individual franchises, imposed a lockout on the players in an ultimately successful attempt to renegotiate the terms of the collective-bargaining agreement. Second, Wilt Chamberlain was a member of two NBA championship teams, the first in 1967 (not 1963, as Mr. Epstein reports), when he was with the Philadelphia 76ers, and the second in 1972, when he was with the Los Angeles Lakers. Both teams, with respective records of 68-13 and 69-13, are widely acknowledged to be among the best in NBA history.

MICHAEL S. VAIL
Morristown, New Jersey

JOSEPH EPSTEIN writes:

To answer Kenneth Burke: I used "hang time" to mean the length of time a man can, at the height of his jump, keep himself in the air, which does not defy gravity but does tend, however briefly, to make one believe it does not exist. Edwin Denby, the great ballet critic, in his essay "Flight of the Dancer," describes Alicia Markova, at the height of her jump, "serenely calm with nothing underneath her . . . as if she were at a genteel tea party, a tea party where everyone naturally sat down in the air." That, I believe, is hang time.

I greatly regret the factual errors that Michael S. Vail has found in my essay, and I thank him for pointing them out.

Correction

IN Justus Reid Weiner's article, "'My Beautiful Old House' and Other Fabrications by Edward Said," which appeared last month, the sentence (page 25, column 2), "In that city lived Wadie Said's brother Boulos Yusef, his wife Nabiha, and their five children" should be amended to read: "In that city lived Wadie Said's sister Nabiha, her husband (and cousin) Boulos Yusef Said, and their five children." We regret the error.

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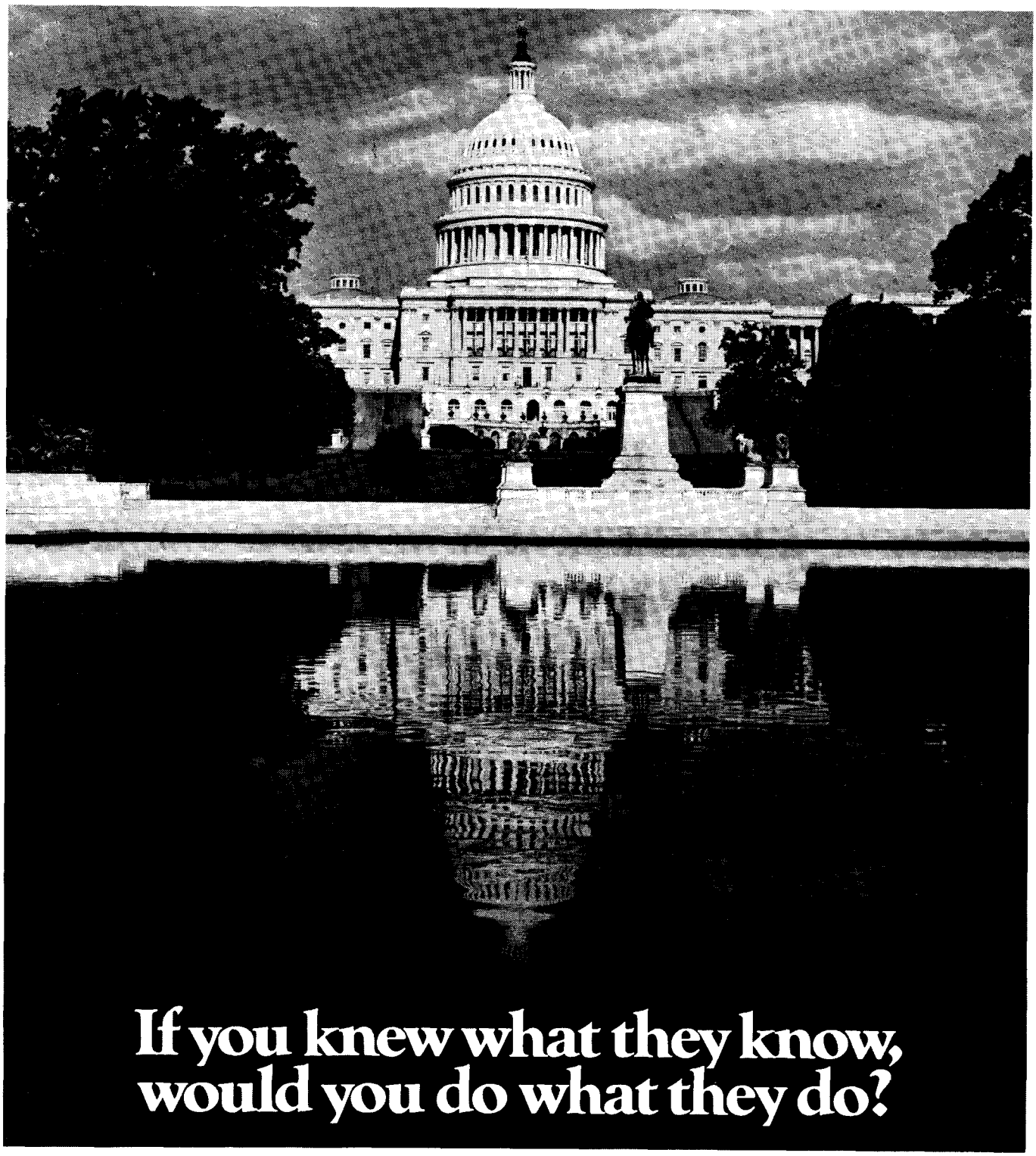

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Commentary
October 1999

What the Republicans Have Forgotten

Daniel Casse

TOWARD THE end of 1988, President Ronald Reagan attended a dinner in tribute to Jack Kemp, then retiring after sixteen years in the House of Representatives. Although Reagan himself was set to leave office just a few weeks later, he offered on this occasion no wistful remarks about the end of an era. To the contrary, his tone was typically Reaganesque: sunny, optimistic, forward-looking. "America's greatest chapter," the President reminded his audience, "is still to be written."

The band of Reagan warriors gathered that evening had reason to feel giddy. A month earlier, George Bush had won a resounding victory in the presidential election. Conservatism, which had seemed so marginal through the 1970's, was in the midst of a great rebirth, while everywhere liberals were in retreat; even Michael Dukakis, the Democrats' presidential candidate, had shied away from using the word "liberal" in describing himself or his policies. Now the Reagan torch was being passed to a triumphant successor, and the stage seemed set for a shining and extended era of Republican governance.

Today, more than ten years later, things look rather different. Even as GOP leaders coalesce around their presumptive presidential nominee of 2000, George W. Bush, the exuberance and certainty that ran through the ranks a decade earlier are long gone. On taxes, foreign policy, defense spending, Social Security reform, immigration, and affirmative action, no consensus binds the party together. Indeed, on many of these issues there is only acrimony. The Reagan coalition of moderate Republicans, Christian activists, neoconservatives, and disaffected working-class and ethnic Democrats lies in tatters. Worse, what once seemed a great step forward now appears to many like an opportunity squandered.

Consider: Newt Gingrich rose like a meteor and then burned up, disappearing from the scene just before his own caucus could oust him as its leader. The "Contract with America," the centerpiece legislation of the passionate congressional Republicans who noisily burst on the scene in the 1994 midterm elections, is but a dim memory, while those Congressmen themselves are in danger of losing their majority status. From without, the Reform party, taking advantage of the GOP's fissures within, threatens still further setbacks in next year's voting.

Of course, the picture is not entirely bleak. For nearly a year, respondents to a monthly Pew Research Survey, even while registering their disapproval of Republican leaders in Congress, have also said they prefer George W. Bush in a theoretical match-up against Vice President Al Gore. The apparent contradiction reminds us that the Republi-

DANIEL CASSE *is a senior director of the White House Writers Group, a public-policy communications firm. His articles in* COMMENTARY *include "Defining the Democrats Down" (August 1998) and "Why Welfare Reform Is Working" (September 1997).*

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can party has indeed scored some real gains in this decade. In states that had long been Democratic strongholds, an active Republican presence has transformed the legislatures, and, in a similar turnaround, Republicans now hold a majority of the nation's governorships. Nor is this all: the very language of American politics has changed. At every level of government, Democrats now mimic Republicans, talking about deficit reduction, individual responsibility, and the unintended consequences of social policy.

But for all that, the animating purpose of the Republican party is hard to detect. Even if George W. Bush should be nominated, and then go on to defeat the Democratic nominee in a general election, no one really knows what kind of Republican President he would be. More disturbing, few agree on what kind of Republican President he ought to be.

HOW DID this happen? How did a party that ten years ago was focused, disciplined, and filled with the passion of ideas become fractured and directionless?

Two plausible explanations have been put forward. The first is that what held the 80's coalition together was the cold war. With the fall of the Berlin Wall and the collapse of Soviet totalitarianism, the unabashed nationalism that had fueled the Reagan revolution simply evaporated. As foreign policy drifted to the margins, and attention shifted to social and economic issues, the party's fundamental lack of consensus was bound to emerge.

The second, more comprehensive explanation addresses the source of this lack of consensus: the divisions within the GOP over such contentious matters as abortion, school curricula, homosexuality, and the separation of church and state. Here there is much evidence to call upon. Almost from the moment of the elder Bush's election in 1988, moderate Republicans were voicing their unease at the growing influence of Christian activists within the party. These internal cracks widened further with Patrick J. Buchanan's challenge to Bush four years later. Although Buchanan never represented a real threat, he galvanized a strand of the party that had long been dormant: an angry and vocal bloc of voters hostile to immigration, suspicious of Bush's "New World Order," and critical of free trade.

So far has the factionalization of the GOP progressed that, in an extremely thoughtful overview of the party published last year in the *Atlantic*, Christopher Caldwell could assert that it has begun to resemble nothing so much as the Democratic party at the height of *its* self-destructive phase in the mid-1970's. Increasingly dominated by Southern conservatives who place moral issues at the center of politics, today's Republican party has become, in Caldwell's description, "McGovernized."

But the problem is not just one of internal divisiveness. What has occurred over the last decade is a loss of the sense of national purpose that was the chief hallmark of Reaganism. For most of his political career, Reagan spoke of three fundamental goals: reducing the size and scope of government, curtailing the hegemony of Washington over problems that could be solved locally, and promoting freedom around the world. During his presidency, he made these ideas the bedrock of the Republican creed. But he wrapped them in a vision that appealed to the inherent idealism of the American people—and that also celebrated the power of government to do good.

"Our party speaks for human freedom," Reagan said in his speech to the 1988 GOP convention,

> for the sweep of liberties that are at the core of our existence. We do not shirk from our duties to preserve freedom so it can unfold across the world of yearning millions. We believe that lasting peace comes only through strength and not through the good will of our adversaries. We have a healthy skepticism of government, checking its excesses at the same time we're willing to harness its energy when it helps improve the lives of our citizens.

In both obvious and subtle ways, the post-Reagan Republicans have departed from this political vision. What has happened can be best described as a turn neither to the Left nor to the Right. Instead, in the name of Reaganite goals, the party has embraced a crude mix of libertarian minimalism and anti-Washington zealotry that has caused it, at least at the national level, to lose its sense of what it means to govern.

WHEN IT comes to reducing the size and scope of government, Republicans over the last decade focused first and foremost on the idea of a balanced budget. Indeed, passage of a balanced-budget amendment to the Constitution has been a standard element of Republican rhetoric since Reagan took office. Yet, as often as Reagan spoke of this goal, the truth is that it was hardly his top priority. The broader platform on which he ran for the presidency called for reenergizing the hapless economy of the 1970's and rebuilding America's defense forces. That, in turn, required both tax

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cuts and increased defense spending, and both of these took precedence over balancing the budget. For him, the budget was an instrument for bringing discipline to Congress and, ultimately, shrinking the size of government. It was not an end in itself, and never once in his years in office did Reagan submit a balanced-budget proposal to Congress.

To his critics, Reagan's fondness for speaking in the same breath of balanced budgets *and* tax cuts and defense spending was simply evidence of his lack of realism. Chief among those critics was the President's own first Budget Director, David Stockman, to whom Reagan's "supply-side" economics—the notion that tax cuts could actually foster growth and thus make it unnecessary to institute draconian reductions in spending—was a chimera. By 1985 Stockman had left town, calling the Reagan White House a "dreamland."

Seventeen years of almost uninterrupted growth and now a budget surplus would seem definitively to have disproved Stockman—and yet his influence on the internal temper of the GOP has been substantial. Even during Reagan's second term, as the federal deficit grew, more and more Republicans joined Democrats in decrying it as our number-one national problem. To George Bush in particular, the Democrats' animadversions against the federal deficit stung. If Reagan was an enterprising Californian, Bush was a thrifty Yankee, and one of his first moves after becoming President was to appoint Richard Darman, the one colleague in the Reagan White House whom David Stockman had seemed to admire, as Budget Director. In the Bush administration, Darman's mastery of fiscal and domestic-policy detail would make him the President's most influential adviser.

CONSERVATIVES UNDERSTANDABLY blame Darman for engineering the 1990 budget deal that broke the President's "no-new-taxes" pledge. That deal certainly damaged the Republicans' credibility on what had been up until then their strongest domestic issue. But it also signaled an ominous strategic shift in Republican thinking, and one that has largely escaped criticism. Under Bush and Darman, the budget deficit would assume a priority it had never had before. Governing in the midst of a short-term recession, Bush and his spokesmen devoted more time to discussing the deficit and the "budget caps" they had negotiated with Congress than they did to discussing how to bolster the temporarily ailing economy.

This obsession with budgetary matters was seen most clearly in an eleventh-hour attempt to win popular support during Bush's flagging reelection campaign in 1992. At the Republican convention, the President unveiled a new economic plan whose centerpiece was a provision allowing taxpayers to assign as much as 10 percent of their federal income tax to deficit reduction. It was the type of gimmick that might have won applause from the staff of the Office of Management and Budget, but it predictably made no impression whatsoever on Americans who wanted to see their personal wealth grow. The Clinton campaign ("It's the economy, stupid") was only too eager to take advantage of this new Republican blindness to larger national concerns.

Nor did the blindness dissipate in the wake of Bush's defeat: the first item in the Contract with America was a balanced-budget amendment, and in line with it the Republican freshmen of 1994 began pursuing spending cuts with zeal. Though the size and severity of their proposed cuts were much exaggerated by the Democrats, the agenda of the new Republican party could nevertheless be characterized as one of austerity, replacing Reagan's cheery optimism with stinginess. ("Once members of Congress know exactly, chapter and verse, the pain that the government must live with" in order to get to a balanced budget, said Republican majority leader Dick Armey on *Meet the Press*, "their knees will buckle.")

One who *had* apparently learned from Reagan was President Bill Clinton, who stood placidly on the sidelines while Republicans bickered among themselves over whether or not a balanced-budget amendment had to contain a federal spending limit and just how much pain would be required. Then, in December 1995, the Republican-led Congress shut down the federal government as a direct challenge to the President. Ten years earlier, the fact that the American public was reluctant to bear 30-percent reductions in federal programs in order to achieve a balanced budget had exasperated and defeated officials like David Stockman. In the mid-1990's, the entire Republican leadership in Congress seemed determined to teach the American public the error of its ways. In the ensuing confrontation, the President, speaking for that self-same public, won a resounding victory.

Of course, it might be said that GOP persistence paid off in the end: the year after the government shutdown, congressional Republicans did reach a seven-year balanced-budget agreement with Bill Clinton. But already the context was a radically changed one. By then, the vibrant American econ-

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omy of the 1990's was pouring revenues into the Treasury at a rate that neither Democrats nor Republicans had anticipated. In 1997, a budget surplus was in reach, and without the need for contentious cutting of the kind Republicans had so intensively lobbied for. The huge investment they had made in creating a budget that would meet an arbitrary seven-year timetable had gone for naught.

It might also be said—correctly—that shrinking the scope of government and cutting programs that serve no purpose remains a worthy, even a noble, endeavor. Even in an era of surpluses, the case needs to be made that the federal government is intrusive and inefficient, that many of its functions are better carried out by the private sector, and that some deserve to be eliminated altogether. Reagan himself made that case repeatedly. But what 1990's Republicans seemed to forget was that he also proposed harnessing the energy of government to help improve the lives of American citizens. Instead of acting as the voice of growth, prosperity, *and* efficient government, the Republicans had allowed themselves to become a voice for nothing more exalted than bean-counting.

IF THEY misread Reagan on the budget deficit, Republicans displayed a similar obtuseness on his second major theme, shifting power away from Washington and toward state and local governments. In itself, this notion was hardly new: it extended back to Richard Nixon's "New Federalism" and to still earlier ideas of revenue-sharing. The premise was, and remains, straightforward enough: bringing the processes of government closer to those who must live under them will make government more accountable to the concerns of citizens, reduce the tendency to bureaucratic inflexibility, and infuse states and localities with a fresh sense of responsibility for devising their own means toward common goals.

Over the last decade, this whole movement for a shift in power to the local level, known as "devolution," has gained a lot of ground. Nowhere has it been more visible than in the Republican-led effort to end the federal welfare entitlement, transforming it instead into a series of block grants that allow state governors a tremendous degree of latitude in designing their own programs.

By most measures, the devolution of federal welfare policy to the states has been an astounding success—one of the greatest domestic-policy successes of the last quarter-century. Most states have been able to reduce significantly the number of people on their welfare rolls, and many are operating carefully conceived work-and-training programs that instill a sense of individual responsibility and self-confidence. While there are critics—two of President Clinton's top advisers quit when he signed the 1996 welfare-reform bill—few dispute that, in general, this has been a positive experiment in government reform.

For Republicans, however, the initial success of welfare reform seemed to vindicate a much broader notion that also lay at the heart of the Contract with America: namely, that Washington, a place filled with career politicians, had become incapable of making many if not most of the decisions affecting American communities. Adopting a near-absolutist position on devolution, many Republicans began automatically to favor any program that could be passed down to the states, ignoring or slighting others that were by their very nature national. This preference for localism in all things has led to some perverse consequences.

First, as William J. Bennett and John J. DiIulio, Jr., have pointed out ("What Good Is Government?," COMMENTARY, November 1997), shifting rule-making and responsibility to state houses has hardly meant an end to big government; on the contrary, it has brought about an *increase* in "the real 'Washington bureaucracy'"—the "millions and millions of people who work indirectly for the national government as employees of state and local agencies, private firms, and nonprofit organizations that are largely if not entirely funded by federal dollars."

Welfare is a case in point. Across the country, taxpayers are spending not less money but more to fund their welfare systems. That is not necessarily a bad thing if the result is to do away with the perverse incentives of aid to nonworking single mothers. But in their eagerness to push programs out of Washington to the states, Republicans have scanted longterm costs, while also turning a blind eye to the loss of the federal government's "capacity," as Bennett and DiIulio put it, "to monitor and correct."

A still more disturbing feature of the Republican passion for local solutions is an unwillingness to consider federal action that *advances* conservative aims. Over the last few years, for example, House Republicans have fought a principled battle against President Clinton's proposed national education-testing plan, which would give substantive control over such tests to the large interest groups that dominate American education. Fair enough; but so fierce is GOP opposition to anything that combines the words "national" and "education" that Republicans have also rejected a number of sensi-

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ble proposals for voluntary, independent tests to provide the data on which charter schools and school-choice projects—two initiatives dear to conservative hearts—depend.

Nor is education the only field where this exaggerated aversion to federal policy has not served Republicans well. On health care, Medicare, tort reform, crime—issues on which Republicans should have been able to draw the clearest distinction between themselves and Bill Clinton, and hence to reassert a true, governing agenda of their own—they have all but abandoned the field.

Perhaps the most salient expression of anti-Washington bias among Republicans has been the misconceived and misguided campaign for term limits on members of Congress, still another tenet of the Contract with America. Even before the Supreme Court ruled, in a 1995 case, that enacting this measure would require a constitutional amendment, it had already failed to pass in Congress, and subsequent votes on the required amendment fell short of the needed two-thirds majority.

But what is really striking about the Republican flirtation with term limits is how brief it was. One Republican Congressman, Scott McIniss, has already broken his pledge to serve for no more than three terms; others who may follow suit include George Nethercutt of Washington state, who made term limits the centerpiece of his successful 1994 campaign against House Speaker Thomas Foley. In an interview in the *Washington Post*, a press secretary for the National Republican Congressional Committee nonchalantly explained the party's cooling ardor in these words: "term limits doesn't pull very well." While there is obviously a high degree of political hypocrisy at work here, a more interesting question is how the poll-driven GOP managed so thoroughly to misgauge the public mood.

To anyone who was paying attention, in fact, the party's own victory in the 1994 congressional elections should have raised a doubt as to whether term limits were even necessary. In addition to Thomas Foley, Democratic powerbrokers like Jack Brooks, the chairman of the House Judiciary Committee, and Jim Sasser, chairman of the Senate Budget Committee—all three of them models of the well-funded, career politician—were defeated by upstart Republican candidates with little or no experience in elected office. It is true, historically, that the vast majority of congressional incumbents have been able to hold on to their seats and discourage challengers. But the notion that it is impossible to turn out established barons is false. And as for curbing the influence of long-serving individuals who have accrued too much power and are owed too many favors, that was readily accomplished by restricting the terms of committee chairmen, an uncontroversial measure adopted by the House Republicans early in 1995.

Alas, however, instead of being satisfied with this historic reform, the GOP pushed on with its campaign for term limits, much to its present chagrin. Not only has that campaign fostered internal disagreement, but many of the most promising legislators who committed themselves to a three-term limit are now stepping down, while others who ran on this platform and have since changed their minds have been left looking insincere and untrustworthy. Most unsettling of all, Republicans have opened themselves to the charge that they care more about how long a Congressman serves than about what he actually stands for. All in all, a poor return on an ill-thought-out investment of intellectual and political capital.

But where the Republican party of today has drifted farthest from the party under Reagan is in the third major area, foreign policy and defense—or rather, as Reagan himself put it in the 1988 speech I quoted earlier, in the duty to "preserve freedom so it can unfold across the world of yearning millions."

That the federal government's commitment to a stronger military has undergone a sharp reversal since the 1980's is hardly in doubt. Obviously, much of the decline is attributable to the collapse of the Soviet Union and the end of the cold war. But instead of meeting the changed global situation with a more focused military, what we have created instead is a vastly underfunded one.

When, in late 1998, Bill Clinton ordered the large-scale bombing of Iraq, it was no longer possible for us to mobilize our armaments on anything like the scale of Operation Desert Storm in 1990-91. Earlier this year, during the sustained air war against Slobodan Milosevic in the former Yugoslavia, U.S. military planners had to ration cruise missiles for fear of running out. Since 1989, the army and air force have been reduced by 45 percent, the navy by 36 percent. Missing parts, shortages of trained pilots, low supplies of ammunition: these are sorry facts of life in today's military.

The temptation is strong in Republican circles to blame this alarming state of affairs entirely on the present administration. But ever since the Re-

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publicans took control of both houses of Congress, they have been in a position to right the situation. Instead, the GOP, once again fixated by overall budget targets, has regularly countered the Clinton administration's slim proposals with even slimmer ones.

There is, however, another factor at work besides fiscal small-mindedness. The single most consequential development in Republican politics since Ronald Reagan left office has been the rise of an outspoken wing that no longer believes in an active American role in the world. Patrick J. Buchanan gave voice to this faction when he challenged President Bush in 1992, and again in challenging and defeating Bob Dole in the New Hampshire primary in 1996.

But the new mood is hardly restricted to a relatively marginal figure like the isolationist Buchanan. Among Republican Congressmen, its influence was seen most starkly during the fighting in Yugoslavia. Whatever one makes of the merits and demerits of Clinton's decision to go to war, it is nevertheless remarkable that even after our forces were engaged, a majority of House Republicans voted not only against a resolution supporting the air war but also for a measure requiring congressional approval before ground troops could be introduced. Suddenly, Republicans were invoking the War Powers Act, a piece of Vietnam-era legislation that the GOP has consistently opposed as an intolerable restraint on the ability of the chief executive to conduct foreign policy. If, in 1989, a group of left-wing Democrats went to court in an effort to stop President George Bush's campaign against Saddam Hussein, ten years later, seventeen legislators, including the liberal Republican Tom Campbell of California and the conservative Republican Bob Barr of Georgia, were filing suit in federal court to stop the bombing of Serbia.

The disappearance of a Reagan-style commitment to global activism is visible in smaller matters as well. This summer, a Senate committee voted to defund the National Endowment for Democracy (NED), a fifteen-year-old program that assists fledgling democratic movements around the world. In the context of the federal budget, the NED is tiny—less than half the size of the Republicans' favorite *bête noire*, the National Endowment for the Arts. But promoting democracy abroad, though now in favor in the State Department, no longer seems the priority it once was for congressional Republicans.

Finally, the loss of Reagan's broader vision of America as, in his words, "the exemplar of freedom and a beacon of hope for those who do not now have freedom" can be seen in the diminishing enthusiasm for a strategic missile defense. First proposed by Reagan in the mid-1980's and since then the signature program of Republican defense thinking, missile defense has not exactly been forgotten—funding for it was a part of the Contract with America—but, as Robert Kagan and Gary Schmitt have chronicled in these pages ("Now May We Please Defend Ourselves?," July 1998), GOP support has been half-hearted at best. In 1995, House budget hawks, led by John Kasich, were instrumental in preventing a missile-defense plan from winning more than token funding for continued research.

THE ROLE played by John Kasich in the defeat of strategic missile defense is noteworthy, for Kasich has emerged as one of the most influential, telegenic, and articulate Republican officials of the 1990's. Elected to the House in 1982 to represent a district centered in Columbus, Ohio, Kasich quickly gained prominence as a budget expert, preparing alternate scenarios while the Democrats still ruled the House. His grasp of arcana was reminiscent of David Stockman's, and, like Stockman, he too won praise from liberal journalists for his willingness to stand against his own party's proposals for greater spending on defense.

With the Republicans' congressional victory in 1994, Kasich's star rose still higher. Invariably described as brash and garrulous, he became a point man for the new fiscal strategy and a regular television spokesman for his party. As chairman of the House Budget Committee, he led the charge to put a balanced budget at the top of the national agenda. With all of Stockman's acuity, and without Stockman's menacing air, the genial Kasich persuaded his colleagues to remain rigid on their seven-year timetable and to force a showdown with the President. In keeping with the new GOP culture, Kasich was also a champion of devolution; he has recently written a treacle-laden book about the achievements of ordinary citizens.

In short, if anyone can be said to embody the spirit of congressional Republicans in the 1990's, it is John Kasich. That is why the dismal fate of his 1999 bid for the GOP presidential nomination, which ended in July just a few months after he announced he was entering the race, is so instructive. To be sure, there were plenty of reasons why Kasich was not a viable candidate. He is not widely known; he lacked a broad fundraising network; and he had no prior experience in Republican presi-

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dential primaries. Typically, though, the fact that Republican voters did not even recognize his name seems to have taken him by surprise. "I thought with the budget agreement," Kasich told David Broder of the *Washington Post*, "and what I think has been a pretty high-visibility role I've performed in Congress since 1995, I'd be better known."

Wounded vanity aside, Kasich's failure to connect with American voters may tell us as much about the resonance of the current Republican agenda with the American electorate as about his personal pulling-power as a candidate. The very issues that have animated Kasich and his colleagues—a balanced budget, devolution, a more restrained defense budget, and a less interventionist foreign policy—appear to hold no special appeal to voters: *Republican* voters, in this case. Meanwhile, even as they have been embracing such narrow and essentially negative issues, Republican leaders have neglected those on which they might have decisively placed a positive imprint—market-oriented health care, school choice, legal reform, an end to racial preferences in government, Social Security privatization, free-trade agreements with Asia and Latin America, swifter approval processes for prescription drugs, even an incentive-based environmental policy to counter Al Gore's big-government one.

Are Kasich and his colleagues merely victims of their own success? After all, having defeated the Democrats in the war of ideas, and having put into place the structural precedents—a balanced budget, block grants—to act as a bulwark against a resurgent liberalism in Congress, Republicans might be said to be in the happy position of now being able to move on to their next set of challenges. If that is so, a grand opportunity awaits them. Once a presidential candidate emerges next year, the party will again have a chance to shape a national agenda that can appeal to American patriotism and idealism and bring swing voters back into the fold.

To do this, however, will be no easy task. It is plainly unrealistic to hope for the sudden, galvanizing emergence of another Ronald Reagan, and to believe, as Newt Gingrich once did, that the next stage of Republicanism requires building on the Contract with America is folly. To the contrary, what is required is a thorough rethinking of what the party has been up to over the last ten years. For whether one is speaking of the stand-off over the balanced budget, the push for term limits, or, ultimately, the impeachment of the President, where Republicans in Washington have most succeeded in the 1990's is in being reflexively anti-government. Where they have resoundingly failed is in being what they were on the verge of being a mere ten years ago, the party of conservative governance.

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Israel's Imperial Judiciary

Hillel Neuer

BOTH IN Israel and abroad, the election of Ehud Barak last May was widely greeted not just as a political victory, with what seemed like obvious implications for the negotiations between Israelis and Arabs, but as an important turn in the country's internal and increasingly bitter culture war. In the eyes of many Israelis, and of foreign observers like Thomas Friedman and Anthony Lewis of the *New York Times*, the contest between the Labor party's Barak and Benjamin Netanyahu, the incumbent prime minister whose conservative coalition depended on the support of various religious parties, amounted to nothing less than a referendum on Israel's identity as a modern state. Netanyahu, it was said, was the candidate of the *haredim*, or ultra-Orthodox, whose dangerous theocratic impulses he had shown himself all too willing to accommodate; Barak, by contrast, was the candidate of secularism, democracy, humanism, and—in a phrase that surfaced repeatedly during the campaign—"the rule of law."

What "the rule of law" in Israel signifies to those who invoke it is, essentially, respect for Israel's Supreme Court, and, more specifically, for its rulings on matters concerning the character of the Jewish state. (This, quite apart from its controversial rulings on other matters, including most recently its banning of certain interrogative methods used by Israel's security forces.) Indeed, led by its dynamic Chief Justice, Aharon Barak—no relation to the new prime minister—the court has in the past years overturned a number of the legal and political privileges long enjoyed by the country's ultra-Orthodox minority. But the *haredim* have not taken this lying down. Prominent rabbis have not shrunk from declaring the justices "wanton evildoers" and the Chief Justice an "enemy of Judaism," and this past February a rally protesting the Supreme Court's rulings drew some 250,000 ultra-Orthodox Israelis.

To their opponents, the aim of those protesters was clear: to intimidate the one institution in Israeli government that stands above politics, impartially defending the country's deepest principles. As the liberal newspaper *Ha'aretz* put it—echoing a sentiment voiced by everyone from the novelist Amos Oz to Labor candidate Barak himself—by venting their anger and their frustration with the Supreme Court, the *haredim* were attempting "to shatter the very foundation upon which Israeli democracy stands."

But things are not so simple.

THE SUPREME Court of Israel operates in a legal environment very distinct from that of its American counterpart. To start with one essential difference: Israel has no written constitution.

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Though its Declaration of Independence in 1948 promised such a comprehensive charter, by 1950 the effort to fashion it had come to a standstill. This was owing in part to the objections of religious parties, some of whom disliked the idea of a second, "higher" law, but in greater part to the reluctance of Israel's first prime minister, David Ben-Gurion, to permit constraints on his then-dominant Mapai party. To fill the void, the assembly that had been elected to design a constitution declared itself the first parliament, or Knesset, and proceeded to pass a series of "Basic Laws," thereby piecing together the various branches of Israeli government.

Under this scheme, elements of which are a legacy of the British Mandate period, the newly created Supreme Court was to have two roles. In addition to being the nation's highest appellate body for civil and criminal matters, it would also function as a "high court of justice," hearing any case in which a citizen wished to challenge an action by the state. In this latter capacity, the Supreme Court could grant relief to individuals by setting aside a government regulation or executive order; but it could *not* overturn a law duly enacted by the Knesset. As in Britain itself, the Israeli parliament was "sovereign," and its actions did not have to comply with a formally entrenched bill of rights.

Lacking any other clear grounds for its rulings on basic liberties, the Supreme Court turned early in its history to the fundamental principles—"complete equality of social and political rights," "freedom of religion, conscience," etc.—that had been proclaimed in Israel's Declaration of Independence. Thus, in one landmark case (*Kol Ha'am*, 1953) the court relied on "freedom of speech" to invalidate a ministerial order that had closed a newspaper. With the accumulation of such precedents over the years, Israel—again like Great Britain—gradually came to have a judge-made bill of rights.

All along, however, the Supreme Court was loath to take up questions of national controversy, wishing, as the justices wrote in an influential early decision, not to "trespass upon the preserves of the political and executive authorities." To guard against such intrusion, the court imposed two restrictive rules on itself. On the technical question of legal standing, only parties directly and substantively injured by some government action were allowed to petition. And even then, a range of issues, especially those related to the discretion of the political branches, was held not to be "justiciable"—that is, the court did not consider itself competent to decide them.

Thus constrained, but at the same time deeply committed to protecting the rights of individuals, the Supreme Court of Israel won a reputation for professionalism and integrity, and the nearly universal respect of Israelis. But all this began to change in the mid-1980's—thanks, in large measure, to the prodigiously influential jurisprudence of Aharon Barak.

TRAINED DURING the late 1950's and early 60's at Hebrew University's elite law faculty, Barak has moved from one major achievement to the next. Winner of the prestigious Israel Prize for his scholarship as a young law professor, he was shortly thereafter appointed the country's attorney general, serving from 1975 to 1978 and earning notice for his bold prosecution of leading government figures on charges of corruption. As a member of the Supreme Court since 1978—and its Chief Justice since 1995—he has authored not only dozens of key opinions but, off the bench, a formidable body of lectures and writings. As one admirer has justly observed, Barak is Israeli law's "first genuine superstar."

Barak's judicial philosophy, as he himself has laid it out, is grandiose in the extreme. No doubt reflecting his experience as a corruption-busting attorney general, Barak argues that it is the Supreme Court's job to enforce "the rule of law" within government, and he wants the court to be aggressive in holding officials to legal norms like due process, "reasonableness," and "proportionality." More radically, however, Barak maintains that the *reach* of law in Israel, or anywhere else for that matter, is unlimited, and that judges need to act accordingly:

> Every human behavior is subject to a legal norm. Even when a certain type of activity—such as friendship or subjective thoughts—is ruled by the autonomy of the individual will, this autonomy exists because it is recognized by the law. . . . There are no areas in life which are outside of law. There are no acts (of commission or omission) to which the law does not apply. . . . Even the activity bearing the greatest political character—such as making war or peace—is examinable by judicial criteria.

This sweeping—not to say breathtaking—view has been memorably summarized by Barak himself (amending a well-known phrase from the daily Jewish liturgy concerning the omnipresence of God's glory): "The world is filled with law."

Needless to say, principles so wholly at odds with the Supreme Court's traditions of restraint were

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not immediately embraced by Barak's colleagues on the bench. But by 1986, Barak could marshal a majority for a ruling (in *Ressler*) at the heart of which lay a manifesto for opening the Supreme Court to a far greater range of complaints and complainants. Any citizen, politician, or interest group asserting that the government had somehow violated "the rule of law" could now claim standing and win a hearing. And politically sensitive cases, once assiduously avoided by the court, were henceforth justiciable: not only welcome, but actively to be sought out.

As a result of this far-reaching change—greeted with glee by the country's organized liberal causes, left-wing members of the Knesset, and most law professors—no corner of Israeli government has, over the past decade, escaped the court's superintendence. The justices have overruled decisions by the attorney general on whether or not certain cases should be prosecuted; overturned the minister of justice's decision not to extradite a person to France; questioned the power of the president of Israel to grant pardons; invalidated emergency regulations issued by cabinet ministers; and even forced the prime minister's hand on a number of appointments, forbidding some appointees from taking office and insisting that others be removed. Nor has the Knesset itself been spared. The court has ruled on the legality of coalition agreements among political parties, and on occasion has even interfered in parliamentary proceedings, ordering the speaker of the Knesset to entertain motions and table bills.

For the Supreme Court of Israel, in short, deference to the ordinary discretion exercised by the political branches has become a thing of the past.

STILL, EVEN well into the 1990's, one unassailable taboo remained: interfere though it might in the Knesset's proceedings or in the execution of a government order, the court still did not consider itself empowered to overturn a law that had been duly enacted by the country's "sovereign" parliament. Soon, however, this taboo, too, would fall.

During a late-night session in March 1992, two new "Basic Laws" were passed by a thinly attended Knesset. Whereas the existing Basic Laws dealt with the structure of government, the new ones were the first Basic Laws to treat fundamental rights. "Basic Law: Human Dignity and Liberty" spoke in general terms of the right of Israelis to life, bodily integrity, property, and privacy. "Basic Law: Freedom of Occupation" guaranteed the right to engage in any profession or vocation.

At the time, the new Basic Laws generated relatively little discussion, in part because of the haste and inattention with which they were passed but also because they seemed to codify fundamental rights that already had a firm standing in the precedents of the Supreme Court. Even representatives of the ultra-Orthodox supported the laws, although under explicit assurances that the religious status quo would in no way be altered.

But among the questions glossed over in the brief parliamentary debate was the precise significance in both laws of a "balancing" provision, according to which these newly enshrined rights could be infringed by the Knesset if doing so would further a "proper purpose" and advance Israel's values as a "Jewish and democratic state." This introduced a real ambiguity into Israeli law. Did it mean that a Knesset statute that failed to meet these criteria, however properly it had been enacted, could be invalid—and, more tantalizingly, could be held invalid by the Supreme Court—on the grounds that it violated one of the new rights, however they might be defined? Those who promulgated the new Basic Laws could not say with any assurance.

But no such uncertainty afflicted Aharon Barak. In a now-famous speech delivered shortly after passage of the laws, he forthrightly declared that Israel had undergone a "constitutional revolution." According to Barak, the Supreme Court now possessed the power of judicial review: the justices could throw out ordinary laws of the presumably sovereign Knesset that did not comply with the new Basic Laws. Israel, he said, finally had a real constitution.

To promote this view—especially within the Israeli legal establishment—Barak proceeded to publish exhaustive commentaries on the new laws, including a massive textbook that quickly entered general use. By 1995, in the *Bank Hamizrachi* decision, his reading of the Basic Laws was formally adopted by the other justices. Barak's book-length opinion, filled with learned citations, argued that, when properly seen through the lens of contemporary Anglo-American legal theorists like Ronald Dworkin and H.L.A. Hart, the new Basic Laws were in fact an exercise of the Knesset's original authority as a constitutional assembly—and one intended, moreover, vastly to expand the authority of the judiciary.

To be sure, Barak's bravura notwithstanding, the justices have so far contented themselves with merely claiming their new power of striking down laws, and have yet to exercise it outright. But what the court has not hesitated to do is to apply the new Basic Laws to various lesser acts of govern-

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ment—especially the administrative orders and regulations through which the Israeli government has long met the needs, and accommodated the demands, of the ultra-Orthodox community.

Acting under their supposed new mandate, for example, the justices have handed down decisions forcing the government for the first time to allow the importation of non-kosher meat, and requiring rabbinical courts to apply secular rather than Jewish law when dividing property in divorce settlements. More controversially, in light of the great number of court precedents that point in the other direction, the justices have set aside the half-century-old arrangement under which yeshiva students were exempted from the military draft. These actions have come amid others based on different but no less questionable grounds. They include one decision disallowing the closure for Sabbath observance of a street in a strictly religious neighborhood of Jerusalem, and another ending the exclusive control of the Orthodox over local religious councils, which oversee matters like kosher certification.

But no less upsetting to *haredi* sensibilities has been Aharon Barak's view of the place of Judaism itself in his self-proclaimed "revolution." At issue here is the "balancing" language that ostensibly permits infringements of the new Basic Laws to advance Israel's values as a "Jewish and democratic state." On its face, this would seem to give some authority to the appeal of the *haredim* to long-standing political and social arrangements. But Barak, in an early statement on the new laws, saw it decidedly otherwise.

The phrase "Jewish state," Barak announced, should be given "meaning on a high level of abstraction," so as "to unite all members of society and find the common among them." In fact, "the level of abstraction should be so high" that it "becomes identical to the democratic nature of the state." Interpretive harmony was to be sought, in other words, by draining the term "Jewish" of any and all specific content that might distinguish it from "democratic."

Nor was that all. Barak made it clear that, by "democratic," he had something highly specific in mind. In "hard" cases involving the state's fundamental values, he suggested, judges should take their bearings not from Israel's traditions, or even from the *democratically expressed* will of its people, but rather from the views of "the enlightened community." Though Barak qualified this phrase in various ways, its implication was plain enough. In distinguishing themselves from the "benighted" religious, the members of Israel's liberal, secular elite—atop which the Chief Justice himself indisputably sits—tend to favor no self-gratulatory epithet quite so much as "enlightened."

AGAINST THIS backdrop, the massive demonstration of Israel's *haredim* last February takes on a rather different aspect. It was hardly, as some news reports suggested, a spontaneous fit of anti-secular spite. Nor—contrary to the often apocalyptic rhetoric of those who denounced, or even tried to stop, the event—did it represent an assault on "democracy" and the "rule of law." Quite the opposite: it was a peaceful protest by an aggrieved minority, exercising its democratic right to speak out at having become the special target of a candidly activist judiciary.

To say this is hardly to condone the extreme statements of some ultra-Orthodox leaders, or the *ad-hominem* attacks on Supreme Court justices. Nor is it necessarily to endorse the particular policies favored by the *haredim*, however time-honored those policies may be. In a modern democracy—even a modern *Jewish* democracy—such things must be open for debate.

But debate—not to mention compromise, and deal-making, and the other essential activities of politics—is precisely what those who profess to tremble for the "very foundation [of] Israeli democracy" seem most determined to foreclose. The predecessors of today's justices long recognized that only elected officials were in a position to accommodate the many points of view that form Israel's peculiar national identity (and fragile national unity). Today, under the flimsiest of legal pretexts and a fog of rhetoric about the safeguarding of rights and the rule of law, Aharon Barak's court is eagerly taking sides, encouraging those who share its position to forgo the arduous task of persuading their fellow citizens.

Different as are the situations of the two countries and their respective legal institutions, there is, as it happens, a cautionary lesson for Israel in the recent history of the U.S. Supreme Court, whose activist rulings of several decades ago are even now a source of angry division in American politics. That the Israeli Supreme Court shows every sign of following if not expanding upon this dangerous course—in a far more polarized society, and without the benefit of a popularly established constitution—is recklessness compounded.

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Of Kitsch and Coins

Michael J. Lewis

Is any country in the world as conservative about its currency as the United States? For two centuries, the same tight repertoire of symbols and devices, with its eagles, emblems of liberty, and portrait busts of Washington and his successors, has served us well. Next year, however, a gold-colored coin is scheduled to appear that at a stroke will cast aside the strict conventions that have governed American currency up till now. This is the Sacagawea dollar, commemorating the Shoshone Indian woman who served from 1804 to 1806 as guide and translator to the Lewis and Clark expedition as it trekked across the high Rockies and continental divide to the Pacific coast. American public imagery will not have experienced so sweeping a change in at least a century.

The depiction of an American Indian on a coin is in itself not remarkable. Eleven such coins have been minted previously, although none since the discontinuation of the Indian-head nickel in 1938. What is breathtakingly different is the way in which the figure is presented. In the new dollar, Sacagawea is fifteen or sixteen years old, clearly youthful and vigorous, and her face shows an open and pleasant expression. As she walks, she turns to look back at us over her shoulder in a three-quarter view, as if inviting us to follow along with Meriwether Lewis's Corps of Discovery. On her back is the infant son she bore during the journey, his face resting contentedly against her neck.

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From shell earring to coarse blanket, all is rendered with fastidious attention to historical costume detail, down to the use of a contemporary Shoshone model. Here, for once, is a coin bearing no mythical or allegorical figure, but an ordinary woman who did extraordinary things. Clearly, this coin is of more than numismatic interest.

That a new dollar coin is about to be minted was inevitable; the only wonder is that it has taken so long. The reason is practical: because of their durable nature, coins are used for low denominations, which change hands frequently, while paper bills are reserved for higher values. But with inflation, the American dollar of 1999 is worth scarcely one-twelfth of its value in the 1930's; it changes hands as rapidly as the dime did 70 years ago, and frays rapidly in the process, as anyone can testify who has stood before a vending machine desperately unfolding tissue-like dollars as a train pulls in and departs the station. This is why Britain and Canada have introduced pound and dollar coins in recent decades, at first to public grumbling and then to accolades.

We, too, would have long since shifted had it not been for the ignominious fate of the Susan B. Anthony dollar. Released in 1979, this is perhaps the only item of American currency ever to be laughed out of use. With Anthony's image framed by an eleven-sided polygon, the coin is awkward in appearance and difficult to distinguish from a Wash-

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ington quarter. Moreover, it depicts the suffragist leader Anthony (1820-1906) as an unattractive, somewhat schoolmarmish figure, an apt embodiment of the prim moralizing of the Carter era.

Thanks to the public's lack of interest, Anthonys swiftly piled up unclaimed at the Mint, and by 1981, when enough had been stockpiled to supply the country for decades, production was quietly suspended. In the ensuing years, as inflation was reined in and the purchasing power of the dollar stabilized, the transition to a coin became less urgent. But then in the late 1990's the stock of Anthony dollars finally began to run out, giving the Clinton administration an unexpected opportunity to express itself numismatically.

Normally, an administration has no direct say over these matters. Unlike the case in Europe, here the authority to make changes in the currency is vested in the legislature, with its longstanding institutional sensitivity to public opinion. This has resulted in such popular measures as the requirement that American money bear the motto, IN GOD WE TRUST. And indeed, with a firm Republican majority in Congress, a bill was duly introduced in 1997 authorizing a Statue of Liberty dollar.

To everyone involved, this seemed a splendid compromise, keeping faith with the Susan B. Anthony precedent by retaining the image of a woman while also upholding the traditional character of our currency. But trouble lay ahead: although the bill passed the House overwhelmingly, in the Senate it faltered. In committee hearings, Senators Barbara Boxer and Carol Moseley-Braun, both Democrats, argued that a Statue of Liberty coin, even though depicting a woman, could not serve as a symbol of women's rights like the Anthony dollar and would therefore (by a perverse leap of logic) be demeaning to women in general.

Caught off guard, Republican Senators offered little retort. Already battered in public-relations battles and, in the wake of the 1996 elections, convinced of the existence of a "gender gap" among voters, they suffered something of a failure of nerve. In an amended act of Congress, authority to select the relevant image was delegated to Robert Rubin, the Secretary of the Treasury; at the same time, a conventional eagle was mandated for the coin's reverse side.

UP UNTIL that point, Rubin's tenure at Treasury had been marked by no great interest in cultural or symbolic matters. His one intervention was the revised design for 100-, 50-, and 20-dollar bills, widely and rightly regarded as a failure. Though a redesign of some sort was needed in order to thwart the sophisticated counterfeiting now possible with cheap scanners, the result is not so much a revision as a burlesque. The original designs treated the bills as classical compositions in the architectural sense, with the proportions of each element interlocked and the elements themselves mutually dependent. On the new ones, borders are reduced and portraits are arbitrarily enlarged or dislodged from position like so many logos jostling within the neutral space of a computer "field"; in fact, the bills show every sign of having been designed on a computer screen, where size and placement can be shifted about at will. (They were also required to be legible enough for the near-blind, making them America's first handicap-accessible money.)

In any case, what was regarded as serviceable enough for America's old bills would clearly not do for the new coin. When it came to that, Rubin proved as squeamish as the Senate. He set out with caution, demonstrating his Clintonite credentials by mixing showy acts of public consultation with quiet obeisance to private lobbying. No less characteristically, the most important questions were closed to debate: an advisory committee formed by Rubin was given carte blanche to select any subject for the dollar, so long as it depicted "one or more women."

With the exception of Arthur Houghton III, the director of the American Numismatic Society, no one on the Dollar Coin Design Advisory Committee had had any serious experience in the design of currency. But knowledge was not the point. The point, as the Mint trumpeted publicly, was that the committee offered "a good representation of America: four members are women, two are African-American, two are Hispanic." True to form, the consequence of this exercise in cultural gerrymandering was that a measure of provocative racial rhetoric inevitably made its way into the deliberations.

In June 1998, two days of hearings were held in Philadelphia and televised on C-SPAN, during which the committee entertained presentations from the public and discussed various options. But the committee itself quickly became polarized. Michael N. Castle, the Republican from Delaware who had introduced the original bill in Congress, reiterated the case for the Statue of Liberty. It was, he said, an image of unquestioned popularity that would also be instantly recognizable to the foreign visitors who are major users of American coins and who presumably would take Statue of Liberty dol-

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lars home as souvenirs, resulting in a net profit for the Treasury. The word Liberty, mandated by law to appear on the face of every American coin, would likewise endow this new one with a fitting sense of symbolic completeness.

Castle's argument was given short shrift. Committee members raised objections ranging from the subtle (values like "authenticity and humanity" count for more today than allegory) to the obtuse (since the statue is a "blonde," it cannot be a truly universal symbol). Soon the search was on for a suitable alternative, now focusing on a historical figure of serious accomplishment and unobjectionable personal qualities. This, however, proved unexpectedly difficult. Although presenters spoke passionately for suffragists (Elizabeth Cady Stanton), abolitionists (Harriet Tubman, Harriet Beecher Stowe), and activists in social causes (Eleanor Roosevelt), the case for one turned out to be as persuasive as the case for another, and none stood out. Moreover, though all the candidates were women of achievement, the accomplishments of none seemed sufficiently sweeping to honor American women in general.

Eventually it emerged that a number of committee members had read *Undaunted Courage*, Stephen Ambrose's 1996 account of the Lewis and Clark expedition, and some had also seen Ken Burns's 1997 PBS documentary on the same subject. In both, Sacagawea's role had been emphasized to a much higher degree than in earlier accounts.

THAT SHE led a colorful life there could be no doubt. A Shoshone woman, Sacagawea had been captured by a raiding party from another tribe at the age of eleven, and later was acquired, perhaps in a wager, by the French-Canadian trader Toussaint Charbonneau. When Charbonneau was engaged as a guide by Lewis and Clark, Sacagawea came along as a translator. She was already six months pregnant when she joined, and her son was born several months into the expedition. By the age of twenty-five, she was dead.

Sacagawea's story possessed the subliminal authority of the familiar, reprising the Pocohantas theme of the indigenous guide who reveals the secret bounty of an unfamiliar land. But there was much that might be said against that story, and her. To read Lewis's actual journals is to see her contribution in more measured terms. There she is treated affectionately, but certainly not heroically. As translator, she performed a useful task, but she spoke no English and could only communicate through Charbonneau. Moreover, her status as something only slightly higher than a concubine suggests an aspect of American history perhaps not entirely deserving of celebration. In American memory, finally, Sacagawea had long functioned more as a literary and inspirational figure than as a historical personage.

But in the end, this very murkiness helped her case. The skimpiness of the information about Sacagawea—and the absence of any image of her—gave her an aura of the legendary that put her in a league apart from the assorted aviators, suffragists, and activists previously considered by the committee. Besides, the relative lack of documentation ensured that no unseemly revelations would ever be forthcoming: here was one candidate proof against debunking and embarrassment. As for her minority status, that was clearly a big plus.

In sum, the committee quickly rallied behind Sacagawea, and, with only Castle dissenting, she was designated as the subject of the new coin, described rather cumbersomely as "Liberty represented by a Native American woman, inspired by Sacagawea."

SO MUCH for the coin's major image. Selecting its design proved to be yet another gingerly procedure, once again conducted with much show of public involvement. After consultation with women's groups and American Indian organizations, seventeen sculptors were invited to compete; the 121 proposals they submitted were then exhibited in Washington. A list of thirteen semifinalists was further winnowed down in an extraordinary process that the Mint itself described as

> based in part on a statistical sampling of thousands of public responses to the Website, comments from Native American tribal leaders and other representatives, and comments from focus groups in Denver and Philadelphia, numismatists, and members of Congress.

Clearly this was devised not so much to achieve greatness as to guarantee against fiasco.

It may be revealing to compare these carryings-on with the last comprehensive reconsideration of American currency. In 1905, President Theodore Roosevelt was dining with Augustus Saint-Gaudens, America's finest sculptor, when the subject of coins arose. Himself an accomplished historian, Roosevelt expressed his admiration for Greek coins of the Hellenistic era, with their high relief and elegant lines, and asked about the possibility of revising America's coins in a similar spirit. Saint-Gaudens proposed a winged figure of Liberty,

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"striding forward as if on a mountaintop," with billowing drapery. "My idea," he wrote the President, "is to make it a living thing and typical of progress." The result was the Double Eagle, the $20 gold piece that captured the exuberant optimism of the Progressive era and is generally regarded as the finest coin in American history.

Saint-Gaudens died in 1907, before completing the more comprehensive redesign of the coinage envisioned by Roosevelt; but his pupils, supported by an enthusiastic Congress, took up where he left off. Among their creations were the Lincoln penny, still in use, the so-called Mercury dime, and the superb Indian-head nickel, in circulation from 1913 to 1938. Depicting, on one side, a buffalo standing on a mound, and, on the other, one of the noblest faces ever minted, the coin renders the settlement of the North American continent in the epic terms of tragedy and destiny. We are, here, about as far as can be imagined from the upbeat adventure story depicted on the Sacagawea dollar, not to speak of the nervous testing and polling that resulted in its selection.

Throughout that testing and polling, the awful example of the Susan B. Anthony dollar hung dolefully in the air. Although Treasury officials blamed the failure of the coin on its design, and on its confusing resemblance to a Washington quarter, in private some speculated that the real reason had more to do with Anthony's off-putting appearance, with her angular profile and tightly bundled hair. It was, in any case, in reaction to those qualities that the new coin was shaped.

To cast out the forbidding spirit of the Anthony dollar, no more fitting exorcist could have been chosen than the sculptor Glenna Goodacre. A popular realist with a wide practice in portraiture, Goodacre had achieved fame with her Vietnam Women's Memorial in Washington. Like all Goodacre's work, the Vietnam monument, which shows a nurse cradling an injured soldier, is squarely in the aesthetic tradition of her native Texas, now one of the most lucrative art markets in the country. This is an art not of alienated bohemia but of rollicking cowboys and bucking broncos, a living survival, rendered in cinematographic terms, of 19th-century American illustration. Goodacre's Vietnam monument, with its strong and lucid narrative—it has the one merit of being feminist in conception without alienating men—is much closer to Frederick Remington than to the laconic abstraction of Maya Lin's original Vietnam memorial (dedicated in 1982).

Goodacre's Sacagawea is, similarly, a straightforward narrative piece without a hint of formality. The static and iconic Susan B. Anthony bust (in truth, nothing more than a paraphrase of George Washington's own Roman bust) is here replaced by an image as intimate and fluid as a snapshot. Every detail, from her frank and open gaze to the loose wisp of hair straying from her forehead, combines to suggest casualness and approachability.

The patent novelty of Goodacre's design—it is the first American coin to make eye contact with the viewer—guaranteed that it would be immediately popular when exhibited in prototype, and this popularity continued in the extensive focus-group testing that followed and that resulted in two changes before the design won final approval. In the original version, Sacagawea had no infant on her back, and stood pointing the way ahead. When it was observed that in reality her task had been to translate, not to guide, the finger was removed. At the same time, her son was added, shifting the focus from her official role to her personal ordeal—and to the heroism of daily life. In the process, the image on the coin was transformed into a Madonna and child, updated as a working mother contending visibly with the problem of day care.

Without question, it is a striking and memorable image. But a striking and memorable image does not necessarily make for good (let alone great) art, or even a good coin. The best and most enduring art is that which works within, and occasionally triumphs over, the constraints of its particular medium; what is satisfying on a movie poster is not necessarily satisfying on a coin. And in coins—which are a form of relief sculpture—the best compositions are those based on strong lines and lively silhouettes. That is why profiles work so well, as do poses with vigorous contours.

Nothing could be further from this than Goodacre's design, with its three-quarter view and its ubiquitous soft lines. As a design, its weakness is that it has been conceived not as a sculpture but as a picture, and that it presents its form not plastically but in tones—though as such it is admittedly handsome, photographs attractively, and also looks quite good on the Internet, surely a critical factor in its selection.

Another troubling aspect of the design is the coyness of the pose. Sacagawea turns her head to look over her shoulder at us in an attitude that has a long pedigree in Western art (as it does in life): the inviting backward glance that is universally taken as a pointed, come-hither look of romantic challenge. To be sure, the sleeping child helps to defuse any las-

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civious insinuations, but the overall effect nevertheless remains unsettling. Even Goodacre seems to have had qualms about this image: she submitted an alternate version, showing Sacagawea in more solemn profile, but it was rejected.

But what most stamps this coin as of our moment is its unrelenting casualness. The Sacagawea dollar displays all the leveling tendencies of contemporary politics, a politics that disdains lofty rhetoric and rewards those public figures who can best suggest, however disingenuously, intimacy and familiarity. Like our politics, the coin places us on a first-name basis with everything, even our past, while sedulously declining to hold up for our emulation anything higher than ourselves. It is the numismatic equivalent of a Clinton-style "town meeting."

At the same time, it marks the replacement of allegory by kitsch. Since allegory is in essence a literary device, we should not be surprised to find that its uses have atrophied in a television age, which encourages the literal reading of unambiguous narratives. And that much of the public has difficulty with allegory is nowhere more obvious than in the profusion of Vietnam memorials to various groups in today's Washington. The traditional conception of the monument as a kind of synecdoche, a part standing for the whole, has been lost, replaced by a literalism—a literalness—that is the enemy of imagination and of any ability to grasp, to rank, or to assimilate the secrets of the past. In short, kitsch.

The Sacagawea dollar is not the worst coin imaginable. In its subject matter, straightforward realism, and moralizing character, it is, as Arthur Houghton put it, "irretrievably American." But it is, alas, irretrievably American in other ways as well, pandering where it should challenge, comforting where it should demand, and otherwise perfectly mirroring a society preoccupied with the virtue of compassion and cynical about every other. In its careless sloughing-off of America's founding figures and ideas, its substitution of sentimentality for any invocation of sacrifice, courage, or fortitude, and its nervous defaulting to the spurious democracy of focus groups, it is indeed a coin for our time.

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The Word of Hafez al-Assad

Daniel Pipes

Of all the expectations set in motion by the recent change of government in Israel, some of the most hopeful have attached to the prospect of a breakthrough with Syria. Secretary of State Madeleine Albright's quick visit to Damascus in early September was but the latest sign of such hopes. Before that, in late June, President Hafez al-Assad and Israel's Prime Minister Ehud Barak had exchanged compliments through the medium of a British journalist, and Israeli officials were predicting that long-frozen talks between the two countries could resume within weeks. The July 26 funeral of King Hassan of Morocco seemed, for a while, a perfect opportunity for the two leaders to meet. "Instances such as these, however sad they may be, enable contacts," opined Foreign Minister David Levy, who was already imagining aloud what he would tell the Syrian strongman ("You want peace. We want peace. Let's talk."). Before heading off to Morocco, Bill Clinton, too, publicly alluded to his plans to bring the two sides together in Rabat.

But then Assad abruptly canceled his trip (piqued, according to unnamed Arab diplomats in Damascus, by Levy's presumptuous remarks) and instead sent a flack to represent him at the funeral. Questioned about this, President Clinton did not try to hide his disappointment—"I . . . don't quite understand why he didn't come"—but he also ventured an upbeat assessment of the Syrian leader: "He is a man you can trust. He is experienced, and he's trustworthy. His word is his word."

In saying this, the President, whether he was aware of it or not, was saying nothing new. In fact, he was but echoing what many people, including Israeli leaders, usually of the Labor party, have been saying for years. "The Syrians keep their commitments," Yitzhak Rabin once flatly declared, and both Shimon Peres and Ehud Barak have concurred. "With the Syrians," Peres put it, "it is very hard to reach an agreement, but the agreement will stand," while Barak has offered that Assad consistently lives up to his word. Nor is this view confined to politicians: Uri Sagi, a past head of Israeli military intelligence, has asserted that "if and when [Assad] signs an agreement, he will keep his word."

The same point is made regularly in both the Israeli and American press. Yoel Marcus, a columnist for *Ha'aretz*, writes that "an accord with Assad is enshrined in concrete and steel," while to the editors of the *New York Times*, the Assad regime "has compiled a record of abiding by agreements it does sign." Lest anyone still be in doubt, Assad himself has vouched for his own record: "We always mean what we say, and we fulfill our promises."

Is this true? If so, it would be something of a historical first, since totalitarian rulers of Assad's ilk are notorious for rather the opposite habit. Saddam Hussein has famously broken virtually every promise

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he has ever made, and the leadership of North Korea tags very closely behind. North Vietnam did not exactly distinguish itself in adhering to pacts struck with the United States. Then there are the examples of Hitler, Stalin, Tojo, and all the rest. Could it be that, among them all, Assad is the exception?

SINCE COMING to power in 1970, Assad has made a variety of promises to foreign governments. Let us look at a number of them, starting with cases concerning Lebanon, Turkey, and the United States.*

Lebanon. Syrian troops have been in this country since 1976, and Assad makes little pretense of hiding the high degree of control he maintains over his weaker neighbor. On three occasions, however, Syrian authorities have concurred with decisions made by others that Syrian troops should depart. First, as part of the 1976 Riyadh-Cairo accords, Damascus agreed to vacate Lebanon by October of that year. Second, in September 1982 Syria signed the Fez declaration committing itself to negotiations with the Lebanese government over "an end to the mission of the Arab deterrent forces"—i.e., Syrian troops. Third, to win Lebanese Christian support for a revision of the Lebanese government structure (the so-called Ta'if accord), Assad in October 1989 accepted a redeployment of Syrian troops from Beirut to the Bekaa valley within two years.

None of these promises was kept. To this day, some 30,000 uniformed Syrian soldiers remain in Lebanon. Their presence is not subtle; anyone arriving in Beirut by plane encounters them right in the airport.

The PKK. In 1987 and 1992, Damascus signed security protocols with Turkey, solemnly undertaking to shut installations on Syrian soil used by the PKK, the Kurdish terrorist group fighting the government of Turkey. In addition, Syrian officials time and again assured the Turks that the PKK would be kept in check. But, year after year, little if anything changed on the ground. A base would ostentatiously close down, only to reopen quietly somewhere else. The PKK would cross the border into Turkey to kill and destroy; the Turks would protest; the Syrians, denying all culpability, would vow that such acts would never occur again; things would quiet down for a few months; and then the whole cycle would start afresh. According to one report, the Turkish prime minister's office concluded no fewer than eighteen agreements with Assad on this issue, each one of them subsequently broken by the Syrian side.

Particularly galling to Turkey was the fact that the PKK's leader, Abdullah Öcalan, lived openly in Damascus, giving interviews and being photographed, while the Syrian regime insouciantly denied his presence on its soil. Only in September 1998, after eleven years of lies, double-talk, and deception, did the Syrians finally expel Öcalan and shut down most PKK facilities, and then only after the Turks had finally made it clear that real trouble, possibly armed conflict, would follow if Assad continued to shelter the Kurdish terrorist.

Syrian Jews. The situation of this 4,000-member community was a long-festering human-rights issue between Damascus and Washington. For decades, Assad refused to let more than a few Syrian Jews emigrate. Then, in April 1992, in the course of a telephone conversation with President George Bush, he announced the wholesale release of the community—"an extraordinary development," in the words of Congressman Stephen Solarz, who had been preoccupied with the issue for years. And, indeed, by October 1992 three-quarters of the Syrian Jewish population had received passports and exit visas.

But they were not actually allowed to leave, and the process then stopped dead for more than a year as the Jewish population served as a political football. Only in December 1993, in the course of negotiations with the Clinton administration over another matter, did Assad open the door for 200 Jews to leave the country, and then another thousand a month later. It took until October 1994—two-and-a-half years and many problems later—for the rest of the community to be permitted to go.

THIS BRINGS us to the most central cases, those concerning Israel. Here once again the problem of Lebanon looms large, as it will in any prospective deal between Damascus and Jerusalem.

The "Red Line." In April 1976, the Israelis acquiesced in the presence of Syrian forces in Lebanon in return for several reassurances. Dubbed "red lines," these unwritten agreements, brokered by King Hussein of Jordan and American officials, were designed to circumscribe the Syrian use of

* For the purposes of this analysis, I am putting aside the possible objection that Assad is not interested in a deal with Israel in the first place. Though I myself happen to believe that is the case, it is a matter of speculation, and anyway both Israel and the United States are now operating on the opposite assumption.

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force in Lebanon. Assad reportedly agreed (among other things) not to deploy aircraft, surface-to-air missiles, or more than a single brigade of soldiers, or to place any soldiers in southern Lebanon, which abuts Israel.

Damascus eventually breached all four of these provisions. In 1981, it ferried troops by helicopter and deployed surface-to-air missiles in the Zahle area of Lebanon. (Israel knew full well of these offenses: Itamar Rabinovich, later Israel's ambassador to the United States, termed them, respectively, an "infringement" and an "unequivocal violation" of the 1976 agreement, with the missiles in particular amounting to "a serious threat.") Assad ignored the clear prohibition on aircraft a second time in October 1990 when his air force buzzed the Lebanese presidential palace at Ba'abda, and then, as the Israelis failed to respond, returned to bomb the palace and help Syrian forces conquer Beirut.

The sheer number of Syrian troops sent into Lebanon constituted an even more profound infringement of the red-line agreement. Over the years, as we have seen, not one Syrian brigade but more like six or seven have regularly been stationed there, some in the south. Worst of all, Assad has on occasion denied the very existence of the red-line agreements, as well as any future obligation to maintain them. To a Lebanese group he once said, "Do not concern yourselves with the 'red line,' which the Americans and the Israelis are talking about. It does not exist, [and] in any event I cannot see it."

Operation Accountability. After a rocket assault on Israel from southern Lebanon in July 1993, followed by a massive Israeli military response (Operation Accountability), Assad swore to prevent future such attacks. An agreement to that end, struck with the aid of Secretary of State Warren Christopher, was then systematically violated: four times the rockets fell in 1994 and five times in the first half of 1995. Once again, Syrian sources denied the very existence of a deal with Israel.

At the time, Israeli leaders condemned Assad's actions in strong language, with Prime Minister Rabin charging a "total violation" of the 1993 agreement. (A few months later, though, Rabin publicly excused Assad, saying that the Syrians "don't always keep to [the agreement], we don't always keep to it.") The accord fell apart completely in April 1996 when rockets landed again in northern Israel and, in response, Prime Minister Shimon Peres launched Operation Grapes of Wrath, a wide-ranging assault on Lebanon's infrastructure. Yet in the same month, Peres still spoke of Assad as someone who "respects" his undertakings. A more accurate assessment was offered by Benjamin Netanyahu. "In Lebanon," the then-leader of the Likud party said in 1994, "the Syrians broke just about every agreement they signed."

Negotiations. In June 1995, Assad promised Warren Christopher that he would engage in two-stage talks with Israel: a meeting of the countries' military chiefs of staff in Washington, followed later by discussions at a somewhat lower level. So pleased was the Secretary of State that, abandoning his habitual reticence, he declared this "a tremendous opportunity to move now toward a goal of a comprehensive peace, perhaps a better opportunity than at any time during the two-and-a-half years that I have been in office."

The chiefs of staff did meet in late June, but then Assad backtracked, setting a precondition for further talks that Israel could not possibly accept. Prime Minister Rabin put his finger on the core issue: "If the Syrians do not keep to what they agreed to with the Americans, who will guarantee that they will stick to the assurances they make to Israel?"

The Golan. In any deal to be reached between Damascus and Jerusalem, the disposition of this crucial high plateau, in Israel's hands since 1967, will take center stage. And it is precisely in relation to the Golan that Assad has most earned his reputation as a man of his word.

A wide consensus exists that, for 25 years, Assad has fulfilled the promises he gave in the May 1974 Separation of Forces agreement with Israel. Richard Murphy, a former American Assistant Secretary of State for Near Eastern affairs, attests that the pact has been "scrupulously observed." Ze'ev Schiff, the dean of Israeli military correspondents, writes that "violations have been negligible," and even Benjamin Netanyahu declared in 1994 that "Syria has kept to both the letter and the spirit of its disengagement agreement."

It is indeed true that Assad has prevented violence across the Syrian-Israeli border, thereby making the Golan not just a quiet place but perhaps the safest in the Middle East. But this does not mean he fulfilled all the obligations of his 1974 agreement with Israel.

For one thing, although he reassured Jerusalem of his nonbelligerent intentions by promising that "Syrian civilians will return" to territory evacuated by

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Israeli forces, in fact civilians have not moved into such areas, which instead remain military zones. And for another, Damascus did allow some terrorist operations in the early years of the agreement, including an attack on the settlement of Ramat Magshimim in 1975. Among the more important documents handed over to Jerusalem by Jonathan Pollard, the American convicted of espionage for Israel, were (he has lately recalled) a "very detailed" assessment by the Central Intelligence Agency and Defense Intelligence Agency of a "huge number" of Syrian infringements in the decade after the signing of the 1974 agreement. These included such encroachments in the demilitarized zone as moving tank platoons under darkness; the placing of listening devices; and abductions and assassinations.

The same pattern was repeated in 1992, when the Syrians moved commandos into the town of Quneitra and heavy artillery elsewhere in the demilitarized zone. They also placed 21 surface-to-air missiles and eight missile launchers within 25 kilometers of the border. Although these illegal actions were duly reported by the United Nations observer force, Prime Minister Rabin chose not to make them public—only in 1994 did Rabin finally disclose that Jerusalem had complained repeatedly about Syria's violations to the United Nations, "without any response from the Syrians."

THIS, THEN, is Assad's less-than-impressive record of fulfilling his promises. It is worth recalling that at least some observers have understood all along that he is hardly a man to be trusted. Michel Aoun, who as prime minister of Lebanon in 1988-90 challenged Assad and lost, is clear-eyed about the man who defeated him. The Syrians, Aoun has said, "don't respect their word. They scheme, they promise you one thing and do something else on the side. They promised in the past, but they never lived up to any agreement." In a more eloquent phrasing of the same sentiment, Egypt's president Anwar al-Sadat recounts in his memoirs that President Jimmy Carter found that "the word of the Syrians was in fact a thousand and one words, and that what they agreed to one day, they rejected the next, returning to it the day after."

But, starry-eyed for peace, Israeli and American governments these days tend to brush aside such inconvenient facts, even when they are attested by their own sources and confirmed by their own experience. When Ya'acov Ami-Dror, then Israel's head of research for military intelligence, said in 1994 that "Assad keeps an agreement only when it suits him," Prime Minister Rabin acidly retorted: "This is not the first time the intelligence branch has made mistakes in its assessments."

Rabin's reply points to an enduring fact of international politics. In the course of this century, as Douglas Feith (among others) has argued, the Western democracies have compiled a long history of fulfilling their side of bilateral agreements with dictatorships while ignoring or, worse, papering over the infractions of their adversaries. Such was the case with the British government and the Nazis in the late 1930's, and such was the case with the Nixon administration and the Soviets in the 1970's. So it is, too, with the Israeli government and the Palestinian Authority today, and so it has long been with Israel and Syria, a country whose despotic ruler keeps his word or breaks it as it suits him. Whether or not Assad himself truly intends to strike an agreement with Israel, anyone contemplating pursuing one with him would do well, at the very minimum, to keep this in mind.

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Freddy Duchamp in Action

A Story

Joseph Epstein

On the morning the letter—it was a form letter, actually—arrived from the warden at Joliet prison, I had a lunch date with Max Schecter. Max had retired from the Chicago police department two years earlier. He had been a flyer in World War II and had flown for the Israelis in their war of independence. His business card read Colonel Max Schecter, and, under that, a single word: Mercenary. He was a single-idea man, Max: the idea was that the world was still out to get the Jews and that most Jews were all too ready to connive in their own ultimate destruction. He wrote lots of letters to the Chicago papers and to the Jewish press, naming the politicians who were really friends of the Jews—almost none qualified—and those who weren't.

Max had no distaste for violence—his language bristled with it—but he didn't look anything like the fighter pilot he had been. He was almost aggressively bald (he had taken to wearing caps indoors), short, not particularly muscular, and with an emphatic limp. Most of his old power was in his face and especially in his teeth: his smile hinted at the hope that you might make the mistake of trying to mess with him. Even now, Max was not a man to fool with. His voice, with its metallic ring, carried in public places, and, given some of his remarks, this sometimes caused me to wince.

Max and I didn't meet often, usually once or twice a year, though he always sent a card on the Jewish holidays. When my wife died, he wrote me a letter about life being little else but a series of losses that I found touching. All the more so, I suppose, because as far as I knew, Max was himself quite alone in the world.

"So, David," he said with one of his knowing smiles as I came up to the table at the Belden Deli, "how's it hanging?" He had already set up office. Newspaper clippings were on the table, also a few xeroxed items, some recent letters he had received, a few he had written, a nicely mangled copy of the *Chicago Sun-Times*.

"By the same few threads," I answered. "And with you?"

"I could complain," he said, the teeth flashing, "but who would listen?"

"Max," I said, sitting down, "I need your advice. I just got a letter from the warden at Joliet, asking permission for an inmate to write to me. I'm guessing he's read one of my books. Can you think of a good reason not to say yes?"

"None at all," said Max, with his sly smile, "as long as you stand ready to do this guy a big favor some day."

"Such as?"

"Begin a correspondence with a con and eventually he's going to ask you to write a letter to the parole board, or to lend him money, or, if he gets out, to let him stay with you for three or four days, maybe a little longer. If you're ready for that, what've you got to lose?"

In other words, if I was prepared to be taken advantage of by a crook—a thief, maybe a child moles-

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ter or rapist, possibly a murderer—sure, go ahead. After all, whatever else the guy had done in the world, at least he had the excellent taste to admire my wonderful writing.

"Thanks, Max," I said, "that's helpful."

But not helpful enough, apparently. Because after I returned home and considered the cogency of Max's words, I still wrote to the warden and said OK. It wasn't that I didn't believe Max; it was, I told myself, that even though I was already past sixty, I still believed it was important not to close your heart too quickly. Besides, if the guy asked one of the favors Max predicted, I could always turn him down, couldn't I?

His first letter, which arrived roughly a month later, was in a small and careful hand, with no grammatical or spelling errors:

> Dear Mr. Ross,
>
> This is just to let you know that I enjoyed your novel *The Argyle Boys*. I grew up in the neighborhood you wrote about. I went to Senn High School like the guys in your book. I also hung out like them at Zeitkin's drugstore. My parents lived on Sheridan near Foster. I was born in 1934, so I'm three years older than you. Was the character you call Bronco Levine by any chance based on a guy named Buddy Levitz? Thanks for writing a good book. And thanks also for giving me permission to write to you. Someday I'd like to read some more of your other books.

The letter was signed Fred C. Duchamp; somehow the comic dignity of that C., from prison, made me a little sad. I wrote back to thank him for the letter and told him he was right about Buddy Levitz, who, I reported, had died four years ago of liver cancer. And I sent him another of my novels, *West Rogers Park*, which also had characters from Senn High School and was set in the time of our boyhood. I was careful not to ask him any questions—including the most interesting one of all, which was why he happened to be in prison. I didn't want to make him think I was looking for a pen pal.

A FEW weeks later in the Loop I ran into Lou Stein, who had become one of the chief chroniclers of our youth, and asked him if he remembered a kid named Fred Duchamp. He did: a small guy, according to Lou, with an air of tidiness about him. Played center field in softball games at Clarendon, a good ballplayer, covered a lot of ground, a punch hitter, something of a loner, not sure if he was Jewish or not. I tried hard, but I still couldn't place him.

In six weeks another letter arrived from Joliet. It seems the prison guards were in no hurry to get packages into the hands of prisoners, and so it had taken a while before he'd gotten my book. But he had now read it, and it, too, reminded him of the old days. West Rogers Park tended to be more solidly middle-class and also more Jewish than his own part of town, along Sheridan Road and Lake Shore Drive. He himself, he volunteered, came of a mixed marriage: his mother was Jewish, his father not—which, in those days, was wild stuff. His mother's family had sat *shiva* when she married Earl Duchamp, a car salesman who, his son confided, had been a skirt-chaser and never really made much of a living. Fred, an only child, grew up sleeping on a studio couch in the family's one-bedroom furnished apartment. "Luck of the draw who you get for parents," he wrote, "and only a chump would blame them for his fate in life, unless they regularly beat the hell out of you or something." He ended by asking if I knew whatever had become of a kid named Frankie Winters, whom he remembered as a fine athlete—great arm—and a sweet guy.

Frankie I remembered very well. He was small, with the build of a gymnast, a fine smile, and I recalled hearing that he had married his old girlfriend Nancy. They were the last of the jitterbugs; at high-school dances, the floor would actually clear—as in an old MGM movie—and Frankie and Nancy would dance alone, everyone else forming a circle to look on. He had become a physical therapist, which was a good bit below the aspirations of most of the Jewish boys I had grown up with, and had long since moved to Peoria.

I decided to call Frankie. Claiming to remember me, he asked what I did for a living, which meant he had not known of my books (he was a minor character in *The Argyle Boys*). More important, he remembered Fred Duchamp.

"An odd guy, Freddy," Frankie said. "He kinda went off on his own. His old man was an operator, a salesman of some sort. Freddy liked to gamble. They used to let him play in poker games at the Somerset Hotel, even when he was still in high school. High stakes. Pretty big stuff in those days."

"Did he ever marry?"

"I don't know. After high school, I lost touch with him. What's he doing now, you know?"

"I don't," I said, feeling it wasn't my place to tell anyone that Freddy Duchamp was in jail. "I only heard about him through a cousin of mine who met him somewhere."

Before hanging up, Frankie informed me that he and Nancy had two daughters, now in their late thirties, and five grandchildren. I sent off a postcard to Freddy Duchamp with this news, allegedly gleaned from someone I'd run into who was in touch with Frankie Winters. On a return card he wrote, in his

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meticulous hand: "I liked Frank. I remember him as a kid with no bullshit about him." And there was a postscript: "Have you ever heard of a writer named Theodore Dreiser? Am starting to read a book of his. He seems to know the score."

Don't ask me why, but in Powell's used bookstore in Hyde Park I bought a copy of W. A. Swanberg's biography of Dreiser and shipped it to Joliet. Three weeks later, Freddy wrote to thank me and to announce that he was up for parole in two weeks and expected to get it. ("Knock wood," he added in parentheses.) Then he was planning to be in Chicago for a few days on his way to the West Coast to visit his daughter in Sacramento. Would I mind if he called? He'd like to take me to lunch to pay me back for my kindness. Of course, if I didn't want to have lunch with an ex-con, he'd understand.

"And, by the way," he added, "I never told you why I am in Joliet. I was sentenced to ten years for armed robbery. I'll have served a little more than three of them. I was arrested in Schaumburg, for putting a plastic bag in a night depository. I was guilty as hell. I did this three times earlier before getting caught. My big mistake was that the time they caught me I was carrying a gun. Dumb, especially since I've never shot a gun in my life. When we meet—if we meet—maybe I'll be able to explain it all. Somehow I still don't think of myself as a thief. But that's a long story. Maybe everybody's got a long story. Thanks again for your letters and for the books."

Well, at least Max Schecter was wrong about one thing: I wasn't going to be asked to support Freddy Duchamp's request for parole. I can't help it, but I like it when guys like Max, in their certainty, are wrong. I sent Freddy my unlisted phone number, and said yes, I hoped he'd call.

WHEN HE did, his voice was slightly high and had a refined quality to it. He planned to be in town for two, maybe three days on family business before taking off for California by bus, and was staying at the Lawson YMCA, on Chicago Avenue. He had a taste for deli. Was there a good one nearby where we could meet? I proposed The Bagel, on Broadway near Belmont, the last Jewish deli in Chicago not owned and run by Greeks. We agreed to meet the next day at noon.

"I'm small," he said when I asked what he looked like, "with white hair, but not a lot of it left. Don't worry, I'll find you from the photos on your books."

I had beat him to The Bagel, where I took one of the front booths with a view of the door. Freddy entered exactly on time: about five-foot-six, small-boned, with thinning white hair brushed straight back. He looked as if he had just emerged from a shower. He wore a blue windbreaker over a white shirt, tan pants neatly creased. His plain-toed, black shoes and the transparent frames of his glasses looked as if they might be prison-issue. He carried a small gym bag. I waved.

"Fred Duchamp," he said, extending a hand while sliding smoothly into the booth.

"David Ross." I shook his hand, which was small, the skin dry but soft. The nails on his slender fingers, I noted, had a coat of polish. What had he done in prison, I wondered, made license plates, worked in a laundry, maybe in the library? All I knew about jail was what I had seen in the movies. Had he been—every man's fantasy terror—raped? His experience of the world was a lot wider than mine.

"So," I said, "it must feel good to be out."

"Very good," he said. "Amazingly good, in fact."

The waitress came to take our order, and I asked for an egg-white omelette and coffee. He ordered corned beef, on a kaiser roll, with french fries, three pickles, and a Coke.

"I used to worry about cholesterol," he smiled briefly. "Prison food takes your mind off it."

"Was it as tough as advertised?"

"You get used to it," he said, "and you meet some extraordinary types."

"This your only time?"

"I once did eight months, in Sandstone, in Minnesota, for writing bad checks. Next to Joliet, Sandstone was a piece of cake, a rest home."

"How'd you happen to get caught carrying a gun?"

"You want the long version or the short version?"

"You have a medium version?"

"I'll invent one."

Our food arrived. Freddy took a small bite of his enormous sandwich, chewing slowly, really tasting the food as if it were a rare wine, which, after years at Joliet, it must have seemed.

"After I graduated high school, I decided that I didn't need college. School bored me, even though I wasn't too bad at it. Through my old man I got a job working as a flunky for a guy whose territory was Chicago, selling Hart, Schaffner & Marx clothes. Very big firm in those days, you may remember. After a couple of years I was given a territory of my own. It included Iowa and the Dakotas, northern Minnesota. Ever been in Grand Forks, North Dakota, in February?"

"I haven't had the pleasure."

"I soon had enough of such pleasures myself. It was time to come off the road. Hart, Schaffner controlled a number of stores around Chicago, one of them in South Shore—this was before the neigh-

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borhood went completely black—and I worked out a deal to take it over."

"What year would that've been?"

"Winter of 1959. It was called the Pickwick Shop, on Jeffrey, just off 71st Street. The plan was for me to own the joint outright in seven years. Meanwhile, I got married, had a kid, and went off to my store six days a week."

"Sounds like you were a good citizen."

"Absolutely. Except that after maybe three years of this I'm going out of my gourd. I'm down on my knees adjusting the break on the trousers of old men, worrying that I've bought too many long-sleeved knit polo shirts that I can't move, hating every minute of it, and at the same time thinking maybe I ought to be looking into opening a second store in the new shopping center in Flossmore. And I probably would have, except for a little move I made one Tuesday afternoon when I called four bookies in town and bet a combined ten grand on the Phillies to beat the Cubs—Steve Carleton was pitching against Kenny Holtzman—and won. It was a completely nuts thing to do. But I did it and came out winners.

"A nice afternoon's work."

"You know how many pairs of socks, or Hathaway shirts, or even Hickey-goddamn-Freeman suits you have to sell to clear ten grand? Anyhow, for the first time in my life I felt like I was my own boss. I was in action, like the gamblers say. As a kid, I used to play the football parley cards in high school, and I would sit in on poker games at the Somerset. I was a strong gin player, too. But this was different. This was flying."

"What did your wife say?"

"Whaddya, kiddin' me? Why would I tell my wife? Every gambler keeps three sets of books: a fake one for his wife, a fake one for the government, and a real one for himself."

Signaling the waitress, he ordered another Coke and a piece of cheese cake. I had a refill on my coffee.

"I DON'T know what you must have felt when you decided you could write, but maybe it's the same. My mind was never at rest. I was always worked up, but happily worked up, if you know what I mean."

"I know exactly what you mean," I said.

"I was always thinking about angles, odds, deviations, possible scores. I started betting baseball games regularly. I studied pitchers; I looked into streaks, weather conditions, the effects of minor injuries."

"Were you making more ten-grand bets?"

"No. Never. Every so often I would take a flyer and bet a grand, but mostly it was two or three hundred bucks a game, depending on what I thought of the line. I was doing OK, making an extra grand or two on the side every month. Anyway, there wasn't much to do at the store now that the blacks were coming into South Shore and the whites were leaving in panic. You didn't see too many black guys in Harris tweed sports jackets, plaid shirts, and khaki pants with a little belt in the back. I opened the joint in the morning mostly to study the *Sporting News* and call in my bets."

"Sounds like the Pickwick Shop was a front, without your meaning it to be."

"Yeah, I guess it was. But to get on with the end of my days as a haberdasher, one day, around noon, I'm on the phone, calling in my bets, when in walk three black guys, maybe in their early twenties. Two of them pull guns, and the third tells me to get on the floor, face down."

"What did you do?"

"I'm not sure you'll believe this, but I remember being mainly ticked off because I thought I had a good thing going in the Pirates-Dodgers game and now I might not get my bet in time. They go over to the cash register where they get about eighty bucks, and another twenty-two-hundred in my money clip and my watch and wedding ring off me. Then they're about to leave and they tell me to count to a thousand before I get up off the floor when, for some crazy reason, I hear myself saying, 'How're you boys fixed for socks and underwear?' This brought me a kick in the side of the head from the guy who wasn't carrying the gun. Six weeks later I locked the place and never looked back. Even today, I hear the word 'inventory,' I get nervous."

"What did your wife say?"

"She didn't say anything because she didn't know anything. Rochelle assumed I was looking for a location for another store. What I was really looking for was someone to beat the Celtics at long odds. By the way, she's married to a dentist now, lives in Highland Park. I gave her a tough time."

"Because of the gambling?"

"Because of having to hide the gambling. To put her off what was really going on, I pretended to be having love affairs—the last thing a real gambler is interested in. I'd do things like leave condoms in my pockets, or put bits of lipstick on a shirt collar. When she confronted me, I made a full confession and promised never to do it again. She wanted me to go into psychotherapy. I said I would consider it. This was when the LA Lakers were on a 33-game streak, and I had them almost all the way, most nights easily beating the spread. I was on a roll. I could've afforded a team of shrinks. It lasted three years before I started to lose. But then I lost big-time. I couldn't have won a

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bet on the outcome of World War II. I was completely bombed out, my credit was cut off, tap city."

"And then?"

"Things dragged on for a while. Shelley eventually found out about the gambling. She wanted me to go to her father to get money for therapy. I agreed to see some guy. He had an office in the Loop, but at our first meeting I saw that he didn't have a clue. He said my gambling was self-destructive, which didn't seem very interesting. What this guy didn't understand was that gambling wasn't a substitute for something missing in my life. It was my life. I never felt guilty about it. The only guilt I feel is for making a stupid bet."

"What about your wife? No guilt there?"

"None. She remarried the right man. True, I missed out on raising my daughter, but she seems to have survived in good shape. The thing about a gambling life is that you only got to take care of yourself. I have no family, no bills outside of having to provide food and shelter for myself, no inventory. I travel light. There're certain jobs in life that make it wrong to marry and bring someone else into your life, when you don't really have time for them. Gambling's gotta be one of them."

PERHAPS I had been around too many writers, academics, lawyers, people shuffling one kind of paper or another, but I found Freddy Duchamp's direct experience of life impressive, and that he had also thought so clearly about his choices in life made him seem somehow attractive. I knew that I hadn't the courage to operate so wholly on my own.

"I'm sure you've heard it before, David—OK to call you David?—but life is a gamble. You get up every morning hoping you don't find a funny little lump in your gonads when showering, or an odd throbbing in your left arm when driving to work. You turn onto the freeway and wonder if some hopped-up punk in an old beater isn't going to smash you to pieces. You come home at night and hope your wife hasn't taken off with the nice-looking guy that runs the produce department at the supermarket. It's all a gamble, right?"

"From a certain point of view," I said, "I suppose it is. But most of what you're calling gambles are really out of a man's control: the cancer, the car crash, the wife running off. Doesn't a full-time gambler like to *court* danger? He's asking for it—he can't live without it."

"Can you live without writing?"

"Probably not, but if I don't write, or if I start a book that flops, it isn't the same as losing twenty grand in Vegas."

"I don't go to Vegas. I don't go to race tracks, either. The crowds at both places, so many losers under one roof, make me sadder than hell. But I'll tell you something you might think crazy. A good loss every now and then isn't such a terrible thing. Take my word for it. I've had some high-voltage jolts in this business. But a big loss can sometimes put the world in perspective. After you're tapped out you can sometimes see things a lot clearer. You know you have to stir yourself, rebound, not let defeat get the best of you. Don't get me wrong. Between winning and losing, winning is always a lot better. But even losing isn't, if you get me, a total loss."

"Forgive my asking, but is doing time at Joliet part of losing?"

"No, that shouldn't have happened. But I did something stupid. I got in the hole with the boys. I made the mistake of borrowing from Guido to pay Dominic. I'm talking juice. Guido started to lean on me. One day a few of the boys picked me up outside my apartment on Marine Drive. They knocked the windows out of my car—windshield and everything—with a baseball bat, an aluminum one. They promised to do the same to my head if I didn't get up to date on my payments. I bought a gun, which I began to keep in the glove compartment."

"So that's why a nice half-Jewish boy like you was packing heat?"

"Heat? I see you go to the movies. Well, carrying a gun by itself isn't going to get you into much trouble. A warning, a slap on the wrist, usually nothing more. My problem was that the cops in Schaumburg found the gun in my car the night they picked me up fishing out the plastic bag I had planted in the night depository. This gave them the opportunity to turn robbery into armed robbery, and that meant hard time at Joliet."

I wanted to ask him details about life in prison, but thought better of it. "Where do you go from here?" I asked instead.

"Right now I need to find a hotel or motel, something for under fifty bucks a night, for tonight and Thursday night."

"I thought you were staying at the Lawson Y."

"I checked out this morning. Couldn't take it. At least in Joliet they lock the inmates up at night. The noise in the halls there is wild."

Never smother a generous impulse, my mother used to say, and now I heard myself saying, "Look, I have an extra room. It's got a foldout couch. Not the most comfortable thing in the world, but it's yours for the next two nights if you want it."

"That's nice of you," he said. "Really nice. But I need to be in touch with someone first. A guy promised to drive me out to Rosehill on Thursday. I

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want to visit my parents' graves before I leave town."

When he got up to use the phone I sat wondering if I'd done the right thing. Well, I reassured myself, at least he isn't a killer, or a rapist, or a child molester. Gambling—it's practically a white-collar crime. Is it even a crime? Where's the victim? He was a neat enough looking guy. If my wife were still alive, of course, I'd never have invited him to stay. But I could save him a hundred bucks, which might come in handy when he was with his daughter. I wondered if Freddy, like me, was by now a grandfather. No place for a *zaide*, prison. Nor was the Lawson Y.

When he returned, the waitress set down the check. I reached for it, but he grabbed it out from under my hand.

"This is mine."

"Can I at least leave the tip?"

"No," he said, floating a $5 bill onto the table, and adding with a quick smile, "But a better tip, in my opinion, is to take the Packers on Sunday and give the Lions the seven-and-a-half points."

As we drove over to my place on Belden I told Freddy I wouldn't be able to spend much time with him over the next two days. I had a family dinner that night, and the next day I was involved in a panel at Loyola University that figured to take up most of the day, with a dinner in the evening as part of the deal. But he would have a key and could come and go as he liked, and he could help himself to anything he found in the refrigerator. I was an instant-coffee man; I hoped he didn't mind.

"After Joliet," he said, "instant coffee is luxury to me."

At the apartment I showed him the room with the studio couch. He looked around. Then he asked, rather shyly, I thought, "Excuse me, but do you have an iron I can use? Right now I just own these pants, three white shirts, and a couple of sets of socks and underwear. I can wash the stuff out in the kitchen sink if it's OK with you."

There was a washer-dryer in the apartment. I showed him where it was and how to use it. An extra robe, blue terrycloth, was hanging on the back of the bathroom door; he was free to use that, too.

"Thanks," he said, "this is gonna help a lot. What time you figure to leave tomorrow?"

"I have to be at Loyola by nine," I said.

"My friend won't be picking me up for the cemetery till ten. So if I don't see you tonight, I'll catch you in the morning."

"Great," I said. "Take it easy. Take care of yourself."

Returning home that night at around eleven-thirty, I looked into the open door of his room. The light from the hall threw a slightly eerie light over my guest, who lay sleeping on his back on the couch, the covers tossed off, arms up and behind him, head resting on his locked hands. Although when awake he displayed the easy coordination of the former athlete, I saw that Freddy, in his undershorts, had an old man's body, bony and white, the skin crepe-like on the underside of his arms, his chest and legs hairless. A plate of dentures—lowers, I thought—soaked in a glass on a nearby lamp table. The hollows in his eyes were deep, the skin around them veiny, purplish. Life, his body declared, hadn't been easy.

I WALKED into the kitchen at six the next morning. Freddy was at the table in my old blue robe, a cup of coffee and the *Trib* before him.

"Another dumb Bears draft," he pronounced, looking up from the sports section. "Dumbest team in pro football. Dumbest management, dumbest coaches, dumbest players. Betting against them since 1964 a man would be rich today."

"No argument," I said. "Even as a kid I always thought George Halas one of the great horse's asses. The old line about him was that he threw nickels around like manhole covers. Tremendously pompous, too. Certain he was going to get a seat on the 50-yard line in heaven."

"Nobody in the organization seems to realize that wide receivers are where the money is in the NFL. All the great teams have had great wide receivers."

"Not quarterbacks?"

"Wide receivers make quarterbacks, not the other way around. Look at the record. Look at the Vikes. They don't always have great quarterbacks, but they always have great wide receivers—currently this kid Randy Moss—and they're always contenders. I made a nice bundle for years betting on the Oakland Raiders because of Fred Biletnikoff. Biletnikoff could catch a bobby pin in a hurricane. I made out so well on him I used to send him a giant-size tube of Stick-Um and a card on his birthday."

"More coffee? Some breakfast? Cereal? Toast? A bagel?"

"A little later maybe. It's kinda hard getting used to living like a human being again. What time are you supposed to give your talk?"

"I have to be there by nine-thirty. It's not a talk, by the way, but a panel. There're five of us. On the subject of the responsibility of the writer."

"Yeah? What is the responsibility of the writer?"

"Not sure I've figured it out yet," I said. "Maybe it's to be no more of a son-of-a-bitch than anyone else, which leaves a lot of leeway. That and maybe a writer is under a greater obligation to keep himself open to

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new experience. Not to close the gate too soon, if you know what I mean, not to become too confident that he has all the answers."

"You getting paid for this?"

"Two grand," I said.

"Pretty good scam, sounds like to me."

"Some days are better than others."

"I'd better get into the shower," he said. "What time you figure to be home tonight?"

"Not much before ten."

"I have to be on the bus for Sacramento leaving Harrison Street at eight in the morning."

"I'll drive you to the station, if you like."

"That would be great. But I already owe you a lot."

"Don't worry about it. Let's just call it a writer's responsibility."

"Maybe on your panel you can mention the fact that you helped out an old ex-con and get them to push up the fee another five bills."

MY DAY at Loyola seemed only slightly longer than a bad fiscal quarter. On the panel were an angry feminist, a young black poet who had recently become a Muslim, a young man dressed in black who taught Queer Theory at Northwestern, and the gray-ponytailed editor of a local literary quarterly that probably had more would-be contributors than subscribers. Contemplating the people sharing the platform with me, I wished I had gone into the used-car business.

At ten-thirty that night, exhausted, I turned the key to my apartment, reminding myself that whenever I'd expected something to result in easy money, it never worked out. The place was dark. Freddy, I assumed, was already asleep. I flipped on the light switch in the hall to find the apartment empty—stripped of its belongings. Furniture, prints on the walls, Oriental rugs, stereo system, books: everything was gone. Or almost everything. My clothes were still in their closets, and the shirts, socks, underwear, and other things once in my large bureau in the master bedroom were piled neatly on the floor. My computer and printer lay on the floor of the room I used as an office, the papers from my desk and file cabinet in piles. Food was still in the kitchen cabinets; the refrigerator was still humming. Otherwise the place had been cleaned out. I thought of my Bobby, my wife, who had lovingly acquired all the furniture in this apartment, and the only thing that came to my mind was the old sports cliché: "We wuz robbed!"

In the kitchen, scotch-taped to the refrigerator, was a sheet from one of my yellow legal pads, folded in half. I removed and opened it:

Dear David (if I may),

I got $4,500 for the furniture and books. It's probably worth more, but I didn't have much time for haggling, especially on a cash deal. I needed the money to get myself back into action. Maybe one day I'll get it back to you, though I suppose the chances are somewhere around 11-5 against. By the way, I don't have a daughter, in Sacramento or anyplace else, so no point in looking for me there. Life's a gamble, pal, and I guess you lost this one. Sorry.

Fred C. Duchamp

I looked around the empty apartment and felt so stupid I could have sat down and wept, except that there wasn't a chair to sit down on.

"SO, MAX," I said at Starbuck's on Diversey two weeks later, "am I a damn fool or what?"

Max had already informed me it was too late to put out an APB on Freddy Duchamp; and he thought the likelihood of my recovering my furniture and books rather small.

"What you are is another guy who fell for a wolf in wolf's clothing," Max offered. "Happens all the time. Look at the broads who are stimulated by obviously worthless men. It's as if it's the worthlessness that excites them. People think they can change other people. Ain't going to happen."

I didn't argue with Max. But in fact I didn't think he had it quite right. Part of my job as a novelist was to investigate other people's motives, and while I might not always get them right, I liked to think that at least I knew my own. After Freddy cleaned me out, I felt at first rather the way he said he had felt after a serious gambling loss. Foolish, but, somehow, my place in the world seemed clearer than before.

And now I suddenly realized that my offer to correspond with Freddy Duchamp and then to help him out had not arisen entirely out of large-heartedness. I'd thought I could make use of him; I'd thought he'd furnish me with material—that the story of his life could become, once I wrote it, my story. He had picked me out as a potential mark, and I had done the same with him. There had been corruption enough, then, to go around. From me Freddy got the money to put himself back in action. I lost my furniture but got my story. In the end it was what gamblers call a wash.

"More coffee?" asked Max, rising from his chair.

"Sure," I said. Watching the old warrior limp to the counter, I slid his *Sun-Times* to my side of the table and turned to the middle pages. I'd heard there was a big sale at Marshall Field's.

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OBSERVATIONS

Lessons of the Great War

Donald Kagan

IN AUGUST 1914, the Central Powers—Germany, Austria-Hungary, and their lesser allies—went to war against Russia, France, Great Britain, and *their* lesser allies. The Great War, as contemporaries called it, World War I to those who lived through its horrible successor a few decades later, raged for more than four years, doing awful damage. Battle casualties alone mounted to 4 million dead and 8.3 million wounded among the Central Powers and 5.4 million dead and 7 million wounded among their opponents, while further millions of civilians died, either from the war itself or from causes arising out of it.

Among the casualties, too, were the German, Austro-Hungarian, Russian, and Turkish empires. America's saving intervention in 1917 thrust the United States into European affairs with a vengeance, while the collapse of the Russian autocracy served as a prelude to the Bolshevik Revolution and the rise of a great Communist state. Disappointment, resentment, and economic dislocations caused by the war brought forms of fascism to Italy, Germany, and other countries. In many places, comfortable 19th-century assumptions of inevitable progress based on reason, science and technology, individual freedom, democracy, and free enterprise gave way to cynicism, nihilism, dictatorship, statism, and class warfare.

As it is widely agreed that World War I was the mother not only of World War II but of most of the horrors of the rest of our century, it is no surprise that historians have sought ever since to learn the lessons of this fearful catastrophe, and especially of its causes. Niall Ferguson's *The Pity of War* * is a most interesting contribution to the discussion. A fellow of Jesus College, Oxford, Ferguson, who is in his mid-thirties, has already written a weighty volume in his special field of economic history as well as an even longer but more popular work on the House of Rothschild. These, together with his many contributions to the press and his appearances on radio and television, have earned him a reputation (in the words of a *New York Times* profile) as "the most talked-about British historian of his generation."

The Pity of War will enhance that reputation. A very ambitious book, grounded in a full grasp of the vast scholarship on the subject, it offers many bright ideas and valuable information, and sheds much light on a number of central topics. Among these, the most important concern the two linked questions of how World War I came about and how and whether it might have been averted. But before turning to them I want to look briefly at Ferguson's discussion of two other topics: why the war went on as long as it did, and how and why it ended.

In so doing, I am following Ferguson's own style and method in this book. Instead of presenting a narrative account of his subject, allowing interpretation to emerge from the march of events, in the manner of most historians over the centuries, he prefers an approach shaped more by the social sciences:

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identifying particular questions that have provoked argument over the years and setting out to answer them as directly and fully as possible. This method has both advantages and disadvantages. The gains are in focus and intensity; the losses are in context and perspective.

WHY, THEN, did the war last so long? Was it because of popular enthusiasm at home, as is widely believed? Although granting that many people were indeed excited by the clash of arms, at least at first, Ferguson answers in the negative. Well, then, "did propaganda, and especially the press, keep the war going"? On balance, again, the answer is no. Instead, we must look to the battlefield itself and ask a different sort of question: "Why did men keep fighting when, as the war poets tell us, conditions . . . were so wretched?"

To this question Ferguson gives a complicated reply. Discounting the significance of military discipline and/or coercion, and discounting as well the belief of soldiers on both sides in the rightness of their country's cause, he dwells instead on an insight of Freud's: that war "strips us of the later accretions of civilization and lays bare the primal man in each of us." "The crucial point," Ferguson writes, "is that men fought because they did not mind fighting. . . . For most soldiers, to kill and risk being killed was much less intolerable than we today generally assume."

A similar point about men at war was made long ago by Thucydides, and there is surely something to it. But as a generalization it is much too broad. *All* soldiers, presumably, have the same innate instincts, but some armies fight long and hard while others yield quickly. The real question is, why did the Allied soldiers on the Western front not yield to superior German force?

Here we come upon one of the serious limitations of this book—namely, that for the most part it is yet another study of the Great War from the British perspective, with considerable attention to the German enemy and some to the French ally but with little to the Austrians or Russians and with almost nothing being said about the Balkans or about the fighting outside Europe. The plain fact is that, in the trenches on the Western Front, which is where the British fought and where Ferguson's main interest lies, the war imposed special conditions. In that constrained context, the prospects of desertion were almost nil, and mutinies could be readily suppressed. In short, it was very hard for those men *not* to keep fighting.

But there is another "important cement" of soldierly motivation that Ferguson mentions only in passing—namely, "comradeship at the level of the unit." Modern studies indicate that this bond is, in fact, decisive for cohesion and military effectiveness. It clearly operated at a very high level in the trenches of France, though Ferguson does not investigate how or why, let alone how similar bonds worked or failed to work in the armies on other, less stable fronts.

TURNING FROM the realm of human motivation to that of large institutional forces, Ferguson asks another and more illuminating question about the war's longevity: why was the enormous economic superiority of the British empire unable to bring about a swifter victory, thus avoiding the need for American intervention? Because, his answer runs, the Allies waged war inefficiently. The British sent too many skilled workers to be killed in the fighting, thus robbing domestic industry of crucial manpower, while British labor unions forced higher wages for factory work than was justified by productivity, and strikes imposed devastating losses in work days. He contrasts this with the economic situation in Germany, where, though food and money shortages were unpleasant facts of life, the war continued to be conducted with relative efficiency.

This is the sort of issue on which Ferguson's expertise in economics serves him well—as it does again (to digress for a moment) on the issue of the war's aftermath.

Ever since the signing of the Versailles treaty, a confluence of opinion has managed to convince almost everybody that the terms imposed on the defeated Germany were unjust, punitive to the point of being "Punic" and hence a major cause of the rise of Hitler and the failure of peace. As against this, Ferguson summarizes and fortifies the work of a number of historians in the last two decades who argue entirely to the contrary.

The peace terms, he shows, "were not unprecedented in their harshness," and the reparations payments assigned to Germany were far from intolerable. In fact, "the Germans received at least as much in the form of loans from abroad that were never repaid as they themselves paid in reparations," and during the Depression in the early 1930's they "were more successful than any other country in defaulting on their debts, including the reparations demanded from them by the Allies." In sum, the problem with Versailles in the economic sphere was not that it was too harsh but that "the Allies failed to enforce it."

BUT TO return to the war and its duration: if the German economy behaved tolerably well, and if, as Ferguson also argues, the German army was clearly the superior fighting force, killing and putting out of action many more men than it lost, why did the Allies prevail?

Of one thing he is quite sure: "It was not the Allied tactical superiority which ended the war"—not improvements in battlefield techniques, not the introduction of the tank or its combination with airplanes and infantry, and not the arrival of American troops. Rather, "it was a crisis of German morale. . . . It was those Germans who elected to surrender—or to desert, shirk, or

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strike—who ended the war." And why did German morale crack? Not because of the failure of the famed Michael offensive launched in March 1918, or the devastating German rout at Amiens on August 8, which represented "the greatest defeat the German army had suffered since the beginning of the war." No, what made Amiens "truly black was the German High Command's [i.e., General Ludendorff's] admission of defeat," an overreaction by an exhausted and sick man who wrongly "jumped to the conclusion that the army would collapse" if the fighting continued.

Hitler himself would later claim that the German army was not defeated in battle but stabbed in the back by subversive forces within Germany society. Ferguson's belief is that the "fateful stab" was delivered by General Ludendorff, and it was a stab "in the German front, not the back." But this fanciful interpretation misreads the military situation at the time, and it is not supported by evidence about the German commander's mental or psychological condition.

The Michael offensive employed new tactics that had been carefully worked out in four years of trench warfare. It relied upon the use of specially selected men whose job was swiftly to bypass strong enemy positions and penetrate deep into Allied territory, inflicting heavy casualties and forcing retreat. The trouble was that, after a while, these attacks themselves ground to a halt, chewing up great numbers of soldiers, among them the best in the German army.

As if that were not bad enough, the Michael offensive left the Germans with no reserves either to resume the offensive or to sustain the "elastic" defense that had been developed by the German army. On the Allied side, in the meantime, the torrent of American soldiers arriving in 1918 provided a seemingly endless stream of reserves and permitted Ferdinand Foch, the new Allied supreme commander, to launch a series of attacks in different sectors, compelling the Germans to retreat or collapse. Nor was the Western the only front affected. By 1918, Allied forces in the Balkans were strong enough to attack Germany's ally Bulgaria, thus forcing another ally, Turkey, to surrender and pressing on the Austrian frontier.

It was the collapse in the Balkans that finally caused the Germans to seek an armistice, but it was the failure of the German spring offensive, improved Allied tactics and equipment, and the arrival of the Americans that defeated the Germans on the battlefield. Any decisive stab, in back or front, was delivered neither (as Hitler would have it) by socialists, Jews, and traitors nor (as Ferguson would have it) by Ludendorff and the high command, but by the Allied armies. The boldest, healthiest, and strongest German commander imaginable would have sought a negotiated peace in the summer of 1918.

THIS BRINGS us around to the really big issue, which is not how long the war lasted or how and why it ended but how it broke out in the first place. A fierce historical debate has raged around this question, to which Ferguson now adds his own very controversial reply.

Within years of the signing of the Versailles treaty, which placed full responsibility for the war and the damage it caused on the Central Powers, Germany's new Weimar republic had launched a well-organized and largely covert effort to discredit Versailles altogether. The foreign office even established an entire subsection, the *Kriegsschuldreferat*, dedicated to disproving German accountability for the war.

This campaign fell on receptive ears in both England and the United States, where, for their own reasons, liberals had been complaining bitterly that the treaty betrayed the idealistic aims and principles professed by wartime Western leaders. Others, especially in Britain, went further: to those who had opposed entry into the war in the first place, the real causes of the conflict and the terrible destruction it engendered were to be sought in Western imperialism and militarism, in the Western alliance system and the habits of secret diplomacy, and in the greed of munitions makers ("merchants of death") and bankers.

All of these views were adopted by revisionist historians in the interwar years. Their writings powerfully shaped educated opinion, strengthening the tendency toward appeasement in Great Britain and toward isolationism in the U.S. Not until the 1960's, in the work of the German scholar Fritz Fischer and his followers (building on the magisterial work two decades earlier of the Italian historian Luigi Albertini) was this revisionist interpretation shaken and, finally, overthrown.

The consensus today is that the deeper causes of the war are to be seen in Germany's ambitions to become the dominant force on the European continent and a world power equal to or greater than Britain. Hence the German decision to build a battleship navy strong enough at the very least to make the British stand aside while this vast change in the international balance of power was taking place. Instead, of course, the alarmed British undertook an expensive (and unwelcome) naval race in order to maintain their superiority at sea, and abandoned their cherished stance of "splendid isolation" to forge an alliance with Japan and a "Triple Entente" with France and Russia. In turn, this new international configuration caused Germany to fear that it was being "encircled" by jealous and hostile forces, leading to a new arms race and to the final crisis of July 1914.

Ferguson is fully aware of the latest historiographical developments. Along with most historians today, he rejects arguments for Germany's innocence or, at most, co-equal re-

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sponsibility for the outbreak of war in 1914. But he departs from the consensus in his explanation of why the Germans acted as they did in 1914. "The German decision to risk a European war in 1914 was not based on *hubris*," he writes; "there was no bid for world power. Rather, Germany's leaders acted out of a sense of weakness." In short, Ferguson believes, the Germans launched a *preventive* war, chiefly out of fear of an attack by Russia a few years into the future.

There is, however, no reason to credit this version of events. As D.C.B. Lieven, a leading historian of imperial Russia, has put it, Russia in those years "was a territorially satiated power," and the Russian government faced serious internal troubles that threatened to bring disaster in case of war. Besides, if Russia *were* to attack Germany, "the self-regulating mechanisms of the balance of power would turn against her." An unprovoked Russian aggression on Germany, that is, would have destroyed the Triple Entente, without which the Russians could not hope to win such a war.

All this was clear to the Germans. Their fear, which assuredly existed, arose from a different quarter: the prospect of a more powerful Russia, joining forces with France and possibly Britain, in a war provoked *by Germany*. The German determination to move up in the world by force and the threat of force—the "*hubris*" dismissed by Ferguson—is taken very seriously by most historians. There is a mountain of evidence to support it, not only in the record of German actions but in the myriad statements of German government and military leaders in and out of office, businessmen, industrialists, bankers, and publicists, as well as astute observers in other countries.

Here, from the turn of the century, is one such observer, not a suspicious Englishman, Frenchman, or Russian but the shrewd and experienced ambassador to Berlin of Germany's chief ally, Austria-Hungary:

> The leading German statesmen, and above all Kaiser Wilhelm, have looked into the distant future and are striving to make Germany's already swiftly-growing position as a world power into a dominating one, reckoning hereby upon becoming the genial successor to England in this respect. . . . Germany is already preparing with speed and vigor for her self-appointed future mission. In this connection I may permit myself to refer to the constant concern for the growth of German naval forces.

To Ferguson, none of these "flights of fancy" (his term) should be taken at face value. The only real issue was the more modest one of a *Mitteleuropa* dominated by German power—and, he asks in all seriousness, would that have been so bad? Suppose Germany's "first strike" in 1914 had been unopposed, and had indeed succeeded in establishing "German hegemony in Europe." The results, Ferguson writes, would have been "a German-dominated European customs union" little different from the one developing peacefully in Europe today. For all the bluster about an empire of the German nation and of the German will to power—"not the way," he cheerfully admits, "German politicians talk today"—the fact remains that "Germany's European power was not one with which Britain, with her maritime empire, could not have lived." But instead, heedlessly disregarding the promises of moderation made by Berlin at the height of the crisis in July 1914 (when the Germans were desperately trying to keep the British neutral), Britain plunged into war.

IN THE concluding section of this book, entitled "What If?," Ferguson expands on the blessings that would have flowed if Britain had stood aside—even for a matter of weeks—from war. Not only would continental Europe have been transformed into something not wholly unlike the European Union we know today, but Britain itself would never have suffered the massive contraction in overseas power entailed by the fighting of not one but two world wars and by the loss of its financial prominence. Perhaps, too, the complete collapse of Russia into the horrors of civil war and Bolshevism might have been averted. There would have been no Hitler, no Lenin, no Holocaust, no Gulag.

No wonder, then, that Ferguson evaluates Britain's decision to resist in 1914 as "nothing less than the greatest *error* of modern history." The only trouble is that to accept his interpretation requires that we ignore everything we know to the contrary, and that is a very great deal. It has been painstakingly documented by Fritz Fischer and others, and it was epitomized in the "September program" drawn up by the German chancellor, Theobald von Bethmann-Hollweg, a month after war began in August 1914. In brief, Germany's aim was to conquer and dominate the European continent from the English Channel to the Ukraine, to exploit its economic resources, and use it as a base for a world empire.

According to the detailed plans of the September program, for example, "France must be so weakened that it cannot rise again as a great power. Russia must be pushed back from the German frontier as far as possible, and its rule over the non-Russian peoples must be broken." A preferential trade treaty would make France "our export land," and the French would be required to pay an indemnity that would make it impossible for them to manufacture armaments for at least twenty years. Belgium would lose Liège, Verviers, and probably Antwerp, and would become a vassal state. Holland would be ostensibly independent, "but essentially subject to us." Luxembourg would be incorporated directly into the German empire. Apart from these territorial provi-

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sions, but by no means less important, was the aim of establishing "mutual customs agreements" that would guarantee German economic domination of Europe.

Plans for the East were not yet formulated in such detail, but the ideas already being entertained by Bethmann-Hollweg and others led naturally to the settlement imposed on the new Bolshevik government of Russia by the treaty of Brest-Litovsk in 1918. This deprived Russia of Poland, Finland, the Baltic states, Ukraine, and parts of the Caucasus.

Would the Germans have changed any of these plans in order to keep promises made to Britain in July 1914? Hardly likely. And we must remember that Bethmann-Hollweg was a *moderate* in the context of Wilhelmine Germany, and that his program fell short of the wishes not only of right-wing extremists, both civilian and military, but also of most intellectuals and political centrists. Had Britain been deterred by German promises, it would have ended up facing a Europe dominated by a single power far stronger and more dangerous than the Spain of Philip II or the France of Louis XIV, or even of Napoleon.

This power would have the greatest army the world had ever seen, unprecedented economic resources with which to build up its already formidable navy, and reserves of men the British could not hope to match. Not only would the new Germany have the capacity to exclude British trade from the continent, doing fearful damage to the British economy, it could even, if necessary, invade and subjugate the British Isles. A British leader willing to run the risk of such an eventuality would have been reckless beyond reason.

NIALL FERGUSON'S taste for "counterfactual" history, exemplified to such striking if misguided effect in the book's concluding section, is one of the truly refreshing features of *The Pity of War*. A dozen years ago, in *The Fall of the Athenian Empire*, I defended my own practice of "comparing what took place with what might have happened had individuals or people taken different actions." "There is no way," I then asserted, "that the historian can judge that one action or policy was wise or foolish without saying, or implying, that it was better or worse than some other that might have been employed, which is, after all, 'counterfactual history.'" I still hold these views, and yet I admit that there are real dangers in the practice.

One danger is that the path actually taken is known, warts and all, with all its negative consequences exposed, while the untaken path tends to be imagined in terms of an unlikely perfection of success and with no consideration of unpleasant outcomes. And that can happen even when the analysis is well founded. When it is not, the risk of counterfactual hypotheses going badly astray is only compounded. Ferguson's speculations fail on both counts.

If the Germans had, as he argues, no "Napoleonic" plan for European conquest, and no designs against Britain, why, one wants to ask, did they launch a great naval race that lasted to the eve of the war? Why, in 1914, did they adopt the Schlieffen plan for a two-front war that would first defeat France and then assault Russia with full force, sticking to this plan in spite of the obvious risk that it would bring Britain into the war? Ferguson does not raise, let alone answer, these questions, leading a reader to the wholly implausible conclusion that the Germans must have been foolish or stupid. Nor does he ask why British leaders, for their part, so misjudged Germany's moderate (to him) intentions. They, too, must have been foolish or stupid. Only Ferguson, in retrospect, has seen the situation clearly.

But let us suppose that contemporaries had it right about the menace from Germany. Perhaps Wilhelmine Germany was not just another European nation seeking to maintain its national interest or even to advance that interest by tolerable means. Perhaps it was a fundamentally dissatisfied power, eager to disrupt the status quo and to achieve expansionist goals, by war if necessary. If so, a different set of counterfactual speculations might be called for by the historian.

"What if," for example, the British had faced the fact of Germany's ambition and the threat it posed more squarely than they did? What if they had recognized that the only way to deter Germany, or defeat it quickly if deterrence failed, was not only to make firm alliances with France and Russia but to take the difficult and unwelcome step of instituting military conscription, which would have provided an army and reserves of such a size as to have made the Schlieffen plan a clear impossibility? Such an action might have averted the war and all its dreadful consequences more surely than standing aside in the hope that Germany would behave well. But it would also have required expense, sacrifice, and above all the facing of unpleasant reality.

Democratic, commercial nations, like Britain then and the United States today, typically resist the facing of reality for as long as they can—until, at last, they are driven to fight wars they have failed to deter and find it costly and difficult to win. Then, if they survive, they can count on revisionist historians to explain how they need never have fought at all, if only they had been more tolerant and understanding.

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MUSIC

The Composer and the Commissars

Terry Teachout

TWENTY YEARS ago, a book appeared that promised to rewrite the history of modern Russian music. *Testimony: The Memoirs of Dmitri Shostakovich* purported to be a first-person account of the life and thoughts of the Soviet Union's most famous composer, "as related to and edited by" Solomon Volkov, a Russian music journalist who had emigrated to the U.S. in 1976.*

Shostakovich had long been regarded by Western observers as an abjectly loyal subject of the Kremlin. But in *Testimony*, he not only declared his hatred of Soviet totalitarianism—"Stalin and Hitler were spiritual relatives," he wrote—but also revealed that many of his best-known works were pieces of program music in which he had secretly sought to depict the horrors of life under Stalin:

> [World War II] brought much new sorrow and much new destruction, but I haven't forgotten the terrible prewar years. That is what all my symphonies, beginning with the Fourth, are about. . . . The majority of my symphonies are tombstones. Too many of our people died and were buried in places unknown to anyone, not even their relatives. It happened to many of my friends. . . . I'm willing to write a composition for each of the victims, but that's impossible, and that's why I dedicate my music to them all.

Testimony immediately attracted worldwide attention, and its authenticity was just as immediately challenged by Soviet cultural commissars and their foreign mouthpieces. But Volkov's explanation of how the book came to be written seemed credible. It was, he said, based on an extended series of face-to-face interviews conducted with Shostakovich in the early 70's in the hope of producing a memoir that would ultimately be published in the West. The composer had affixed an inscription—"Read. D. Shostakovich"—to the first page of each chapter of the 404-page manuscript, thus attesting to his approval of the finished product; and the manuscript was then smuggled out of the Soviet Union prior to his death in 1975.

There the matter stood—until the publication in 1980 of a scholarly paper seeking to show that *Testimony* was a fraud. In "Shostakovich Versus Volkov: Whose 'Testimony'?," which appeared in the *Russian Review*, a journal published by the impeccably anti-Communist Hoover Institution, Laurel E. Fay asserted that large parts of *Testimony* had been lifted from earlier articles by Shostakovich, and that seven of the book's eight chapters opened with sections based on this material. This latter fact led Fay to suggest that Solomon Volkov had somehow hoodwinked Shostakovich into authenticating a manuscript that looked like a compilation of his official writings but also contained spurious first-person revelations concocted by Volkov himself.

Fay's charges were eventually taken up by the eminent American musicologist Richard Taruskin, who, in "The Opera and the Dictator," a much-discussed essay published in

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* Originally published by Harper & Row, *Testimony* is currently available in a paperback reprint (Limelight, 289 pp., $18.95).

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the *New Republic* in 1989, stated flatly that "any proper scholar could see" *Testimony* was a "fraud." As for Volkov, he refused to respond either to Fay or to Taruskin—or to later attacks—and so critics and commentators unfamiliar with the original Russian-language documents were left with little choice but to assume that his book was not what it claimed to be.*

But the debate was still not over. Last year, Allan B. Ho, a professor of music at Southern Illinois University, and Dmitry Feofanov, an émigré pianist and attorney, jointly edited a collection of essays, *Shostakovich Reconsidered*,† the bulk of which was given over to their own detailed refutation of the case *against* Volkov and *Testimony*, prepared with Volkov's approval and cooperation. The result has been a violent dispute among American musicologists and Russian émigrés, the former largely siding with Fay and Taruskin and the latter with Ho and Feofanov.

Not surprisingly, many observers have now concluded that it is simply not possible to say with certainty who wrote *Testimony*; hence the general lack of interest in *Shostakovich Reconsidered*, which was largely overlooked by the nonspecialist American press. But in fact, the debate over the book's credibility is of high cultural significance, for it will necessarily have a major impact on the long-term reputation of one of the greatest composers of the 20th century—as well as on what future historians will have to say about the nature of musical life in the Soviet Union.

ONE MAJOR difficulty in assessing this case is that Laurel Fay's 1980 paper against *Testimony* has been more talked about than read. It was published in a scholarly journal of small circulation, and has never appeared in book form. For this reason, a summary of its contents is in order.

In brief, Fay's case against Volkov rested on her discovery that *Testimony* contains seven "extensive passages" that are "verbatim or near-verbatim reproductions of memoirs previously published by Shostakovich." She presented one of these passages alongside its apparent source, an article by Shostakovich published in the Soviet magazine *Literaturnaia gazeta* in 1965 and reprinted two years later in a collection of the composer's writings. According to Fay, it was "utterly inconceivable" that Shostakovich could have "memorized his previously published statements and then reproduced them exactly in his conversations with Volkov." Given the additional fact that all seven disputed passages were located "at the beginnings of chapters," where the inscription, "Read. D. Shostakovich," is "alleged to appear," she made this damning inference: "Is it possible that Volkov misrepresented the nature and contents of the book *to Shostakovich* [emphasis added] just as he may be misrepresenting them to the reader?"

Volkov's claim to have interviewed Shostakovich, Fay pointed out, "rests exclusively on his own 'testimony,'" there having been no witnesses to their meetings. In addition, Volkov did not tape these interviews, but instead took down the composer's responses in shorthand notes that he later worked up into a first-person narrative. Since Volkov was unable to produce the notes (he said he had been forced to leave them behind in the Soviet Union), and Harper & Row refused to allow Fay to inspect the Russian-language manuscript of *Testimony*, she felt obliged to conclude that the book's authenticity was "very much in doubt."

NO WONDER that, at first glance, it appeared that Fay had indeed, in Taruskin's phrase, "absolutely demolished" the credibility of *Testimony*. But even before Ho and Feofanov came along to rebut her, things were not so simple. In the years following the book's initial publication, many émigrés who had known Shostakovich told stories about him that closely resembled the "conversations" reported by Volkov. In particular, they consistently claimed that he intended his music to be understood as a coded criticism of the Soviet regime, and that it was so understood by Russian audiences.

With the collapse of Communism, such claims began to be heard with increasing frequency from inside the former Soviet Union. Elizabeth Wilson's *Shostakovich: A Life Remembered*, published in 1994, contains dozens of detailed and specific first-person reminiscences of Shostakovich that are consistent with *Testimony*. Typical of these is the statement of Fyodor Druzhinin, the violist of the Beethoven Quartet, the ensemble that premiered most of Shostakovich's string quartets:

> People who lived in Shostakovich's epoch have no need to dig in the archives or to marvel at the evidence of repressions and executions and murders. It is all there in his music.

The real question, then, was not whether the Shostakovich of *Testimony* was believable, but whether the book itself was in fact the composer's autobiography, admittedly "ghostwritten" by Volkov (who never claimed otherwise) but nonetheless based directly on conversations with Shostakovich and approved by him in writing. Allan Ho and Dmitry Feofanov address this question, among others, in the opening section of *Shostakovich Reconsidered*, their 300-page defense of Volkov and *Testimony*. Here are some of their main points:

• The existence of *Testimony* was reported as early as 1976 in the *samizdat* publication, *A Chronicle of Current Events*, as was the fact that the

* Four years ago I myself wrote in the pages of COMMENTARY that Fay had "demonstrated conclusively" that *Testimony* could not be accepted as reliable ("The Problem of Shostakovich," February 1995).

† Toccata Press, 787 pp., $74.95.

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KGB had already interrogated Irina Shostakovich, the composer's second wife, about the contents of the book.

• In order to keep the manuscript out of the hands of KGB agents who were attempting to steal it, Volkov subsequently deposited it in a Swiss bank vault. Though Laurel Fay was not allowed to inspect the actual document, it has since been examined by various Russian émigrés who knew Shostakovich, none of whom believes it to be a forgery.

• Unable to purloin the manuscript, the KGB instead launched a disinformation campaign intended to persuade Western journalists that Volkov and Shostakovich were not close acquaintances but had met only four times (*Testimony* contains four photographs of the two men together). But several people have since confirmed that Volkov's interviews with Shostakovich were common knowledge in Russian musical circles at the time they were taking place. In addition, Flora Litvinova, a friend of Shostakovich, recalled that late in life the composer had said to her, "You know, Flora, I met a wonderful young man—a Leningrad musicologist. . . . We now meet constantly, and I tell him everything I remember about my works and myself. He writes it down, and at a subsequent meeting I look it over."

• The eight signatures Shostakovich affixed to the manuscript of *Testimony* were all reproduced in the German and Finnish editions of the book, and Maxim and Galina Shostakovich, the composer's son and daughter, have confirmed that they are in fact in his handwriting.

• Fay's claim that Volkov deceived Shostakovich as to the content of the chapters he signed rests on her contention that seven of them open with material derived from previously published sources, none of which could be considered "controversial or inflammatory." But this is not true of the book's first chapter, whose seventh and eighth sentences read as follows: "Looking back, I see nothing but ruins, only mountains of corpses. And I do not wish to build new Potemkin villages on these ruins."

• Numerous friends of Shostakovich have attested to his photographic memory for both words and music—he could quote "whole chunks of Chekhov or Gogol" verbatim—as well as his tendency to repeat favorite anecdotes word for word. Ho and Feofanov suggest that this may account for the "self-plagiarized" passages included in *Testimony*. Moreover, not all of the parallel passages resemble each other nearly so closely as the lone example quoted by Fay.

• Finally, while it is true that Shostakovich's surviving friends and colleagues are not unanimous about the veracity of *Testimony*, most who have spoken out so far—including Maxim and Galina Shostakovich—believe it to be authentic, in part because the composer had already told them many of the same anecdotes recounted by Volkov.

THE CONTINUING debate over *Testimony* has come to resemble the longstanding argument over whether Whittaker Chambers was telling the truth when he testified in 1948 that Alger Hiss had been a Soviet agent. As yet, Laurel Fay has had nothing of substance to say about *Shostakovich Reconsidered*, while Richard Taruskin has stated publicly that he still believes *Testimony* to be fraudulent (though he points out that he has never said the *entire* book is a fraud); other musicologists who initially aligned themselves with Fay and Taruskin have similarly refused to change their minds, in spite of the compelling evidence amassed by Ho and Feofanov.

How can this refusal be explained? No doubt some older, Left-leaning academics find it inconceivable that Shostakovich could have been anything other than a supporter of a regime with which they themselves sympathized. As for Fay, "Shostakovich Versus Volkov: Whose 'Testimony'?" is the rock on which she has built her subsequent career as an academic expert on Shostakovich; it is hard to imagine her ever admitting to second thoughts. Certainly she does no such thing in her forthcoming biography of the composer, which will be published next month.* In the introduction, she summarily asserts that the authenticity of *Testimony* "was never properly vetted" and "remains doubtful"; the contents of *Shostakovich Reconsidered* are similarly dismissed in a five-line footnote as nothing more than "third-party endorsements and circumstantial evidence."

Taruskin's view of *Testimony*, by contrast, is more nuanced, if less coherent. For while he continues to claim that Volkov lied about the book's authenticity, he simultaneously appears to believe that Shostakovich saw the book as an opportunity to whitewash his past, and especially his record of cooperation with the Soviet authorities:

> It is natural that latter-day dissidents would like him for an ancestor. It is also understandable, should it ever turn out that Shostakovich was the author of *Testimony*, that he, who though mercilessly threatened never suffered a dissident's trials, should have wished, late in life, to portray himself in another light. . . . A great deal of evidence suggests that in his later years Shostakovich became desperately obsessed with his historical image, and with the theme of self-justification. For he *did* have a history of collaboration to live down.

Now, it is perfectly true that Shostakovich never spoke out against the Soviet regime; to the contrary, he publicly conducted

* *Shostakovich: A Life*. Oxford, 464 pp. $35.00.

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himself at all times as a Soviet loyalist, and by all accounts loathed himself for doing so. ("I've been a whore, I am and always will be a whore," he told a friend.) But what Taruskin refuses to credit—ignoring the near-universal testimony of countless Russians in a position to know better—is the possibility that Shostakovich was also a "secret dissident" who not only incorporated harsh depictions of Soviet life into his ostensibly abstract scores, but fully expected Russian musicians and audiences to understand what he was "saying" in those scores.

Taruskin rejects this possibility in part because he believes that any attempt to "explain" music by such crudely metaphorical means constitutes the grossest kind of anti-aesthetic reductionism—and here, he has a point. Prior to the publication of *Testimony*, it was widely taken for granted that Shostakovich's music reflected in some meaningful sense his status as a loyal Communist; afterward, it came to be no less widely assumed that it reflected in an equally meaningful sense his status as a secret dissident. The most extreme formulation of this latter view is that of Ian MacDonald, a contributor to *Shostakovich Reconsidered*, who argues that "a factual and imaginative grasp of the [political] context of Shostakovich's music is not merely advisable but essential to understanding it."

Can this really be true? Music is a nonverbal art form, whose "meaning" is radically ambiguous and not easily subdued to the demands of politics of any kind. Moreover, the argument that it is impossible to understand Shostakovich's music without understanding its political context and implications is refuted by the many powerful and compelling recorded performances of that music prior to the publication of *Testimony*.* Whether written by an (agonized) Soviet loyalist or a secret dissident, the music is the same, and, irrespective of what it "meant," it continues to impress listeners the world over as among the greatest composed in this century.

So great is Shostakovich's music, indeed, that Russian musicians persecuted by the Soviets for *overt* acts of dissidence believe that it would have fully justified acts of collaboration on the composer's part. As the cellist-conductor Mstislav Rostropovich recently told a reporter for the *Wall Street Journal*:

> I'm a performer. If I don't play the Mendelssohn Sonata in my life, what does it matter? Nothing. If Goskonsert [the Soviet concert agency] cancels my tours after I write a letter for Solzhenitsyn in October 1969, that's nothing, because I'm coming here. But if Shostakovich could not compose his symphonies, that's a loss to our world. And he understood this perfectly.

What Shostakovich himself thought his symphonies "meant" is, of course, a different matter—which brings us back to the problem of the authenticity of his published memoirs. No doubt there will always be those who persist in questioning the role played by Solomon Volkov in the writing of *Testimony*, just as there are still a handful of diehards who believe Whittaker Chambers was lying about Alger Hiss. But the evidence presented by Allan Ho and Dmitry Feofanov in *Shostakovich Reconsidered*, if not absolutely dispositive, still appears sufficiently convincing to ensure that *Testimony* will henceforth be generally acknowledged as what Volkov has always said it was: the autobiography of Dmitri Shostakovich.

* Two of particular note by Western artists are Leonard Bernstein's 1959 recording with the New York Philharmonic of the Fifth Symphony in D Minor, Op. 47 (Sony SMK 47615) and Herbert von Karajan's 1967 recording with the Berlin Philharmonic of the Tenth Symphony in E Minor, Op. 93 (DGG 429 716-2GGA).

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Books in Review

Numbers Game

The Big Test:
The Secret History of the American Meritocracy
by Nicholas Lemann

Farrar, Straus & Giroux. 368 pp. $27.00

Reviewed by
Chester E. Finn, Jr.

COLLEGE-ADMISSIONS testing remains a very big deal in America, perhaps a bigger—and more contentious—deal than ever before. Test scores, which help apportion places on high-status campuses and sway access even to less prestigious schools, have a huge effect on the prospects of millions of individuals, thus shaping the contours of society. Some people swear by testing as the fairest, surest way to gauge talent, allocate opportunity, and sustain a meritocracy within a democracy. Others regard it as the work of the devil, an arbitrary and discriminatory selection system that reproduces privilege, dashes hope, and keeps entire groups in subjugation.

Because few issues cut closer to home than the rules by which life's chances are distributed, testing has become the focus of civil-rights agitation, political grandstanding, and intermittent government regulation. At the same time, it is a large and lucrative private business, with all the accoutrements thereof. The best-known and richest test maker by far is the nominally nonprofit Educational Testing Service (ETS), which itself has had an enormous impact on American life.

Until recently, the operations of this Princeton, New Jersey-based institution have been shrouded in an almost CIA-like secrecy. But some of ETS's secrets have now been laid bare in a long-awaited book by the journalist Nicholas Lemann. *The Big Test* not only provides an absorbing institutional history of ETS, based in part on the voluminous papers of the organization's founder, Henry Chauncey, but also looks at the role that this institution has played in the broader national debates over merit, testing, and affirmative action.

CHAUNCEY, NOW in his nineties, was an obscure assistant dean when the president of Harvard, James Bryant Conant, tapped him in 1933 for a special assignment. Conant wanted to award scholarships to a handful of extremely bright candidates from all over the country, but he needed an instrument by which to gauge their talent. Chauncey's task was to find a test that would enable the university to appraise the intellectual promise of young men from modest circumstances, outside the cozy cluster of northeastern prep schools that supplied Harvard with most of its students.

Although Conant was thinking primarily of Harvard, something larger was also growing in his mind, as Lemann recounts. A Jeffersonian who believed in a natural aristocracy of talent, Conant had come to believe that, instead, a "hereditary aristocracy" was arising in America,

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menacing both opportunity and democracy. The way to combat it was greatly to widen access to education by building (as Conant wrote in a never-published book) "a new type of social instrument whose proper use may be the means of salvation of the classlessness of the nation." Toward that end, Conant believed, universal testing would play an essential role.

Once launched on his mission, Chauncey soon encountered the Scholastic Aptitude Test (SAT), created by a Princeton psychologist named Carl Brigham. Brigham, as it happened, was dead set against creating an organization that would be responsible both for researching and developing the test *and* for administering and marketing it. But Brigham conveniently died in 1943, and five years later ETS opened its doors in Princeton, with Chauncey installed as president and Conant as chairman of the board. Chauncey was to remain in the driver's seat until 1970, retiring just as testing began to be the subject of major political controversy.

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David W. Weiss

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BY THEN, however, Conant's ideas had spread far beyond Cambridge, Massachusetts. The enormous growth of higher education had become, just as Conant hoped it would, America's foremost vehicle for expanding social and economic opportunity, and, as he also hoped, tests and similar meritocratic measures were now widely used to determine which students ended up where. Both strands of Conant's thinking were to converge on a vast scale in the master plan for higher education in California that was developed by University of California president Clark Kerr, the story of which amounts almost to a second book alongside Lemann's history of ETS.

Governor Pat Brown approved Kerr's plan in 1960, and, in short order, new community-college and university campuses were built all over the state to which every high-school graduate was assured access at virtually no cost. But some institutions enjoyed higher status than others, with the top of the pyramid being occupied by the campuses of the University of California system, especially Kerr's beloved Berkeley. It was an intricate, complex, rational system that sought to impose a fair and meritocratic regime—admission depended on high-school grades and test scores—in what was fast becoming America's largest and most polyglot state.

But, as Lemann shows, almost before this new system took effect it came under siege by rebellious students, civil-rights activists, and politicians, all of whom were striving to advance the interests of particular constituencies by carving different and less meritocratic pathways into higher education. The era of affirmative action had begun, with ETS playing a pivotal part in its evolution.

When the question of rigid racial quotas came before the Supreme Court in 1978 in the *Bakke* case, ETS and the Carnegie Corporation teamed up to produce a memorandum—cited twice by Justice Lewis Powell in his deciding opinion—that argued for peaceful coexistence between testing and affirmative action. As Lemann summarizes the document, schools

> should look at a number of criteria (including test scores, of course) and make [their] own judgments. It would be all right for race to be one criterion, because that was a way of giving special help to applicants from disadvantaged backgrounds and of making student bodies more diverse.

This remains the central thrust of ETS doctrine today: an artfully balanced if basically contradictory position that attempts to amalgamate the not-at-all capricious quality of merit with the entirely adventitious one of skin color.

BUT IF ETS has inclined toward political correctness in its rhetoric and public posture, it has also, Lemann contends, acted vigorously to protect its market and the ubiquity of its numerical scores. Twelve years after *Bakke*, the staff researcher who had drafted the brief that caught Justice Powell's eye proposed a new test that would, in practice and not just in theory, meld affirmative action right into the psychometric process. The proposed "Measure of Academic Talent" (MAT) would have taken into account such factors as race and family wealth, explicitly adjusting scores to compensate for whatever influences might cause members of one group to do better than another.

Nothing doing, responded ETS, freezing the hapless employee's research budget and even denying him travel funds. The testing agency was not about to provide an alternative to the SAT, and certainly not one that would cause scores to

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plummet for the children of the upper middle class. Above all else, writes Lemann, ETS was terrified of

> the hell that would break loose if . . . every lawyer's and doctor's kid in America got an envelope in the mail containing a score that had been adjusted downward to account for their parents' high socioeconomic status.

In other words, so long as the racial "score adjusting" was done by colleges, employers, or other decision-makers located far from Princeton, ETS could safely beat the drums for affirmative action. And so long as it continued to stage and to publicize its own efforts to purge tests of "biased" questions and to "recenter" scores—i.e., raising them across the board to give everyone a psychic boost—it could go on marketing its products as pure indices of individual talent and accomplishment.

Lemann's unmasking of the hypocrisy of ETS is thoroughly enjoyable, even where it may not be entirely accurate. By changing test contents and recentering scores, the agency seems to have gone much farther toward accommodating the demands of affirmative-action proponents than Lemann admits. Moreover, even the concept behind MAT appears once again to be alive and well. According to a recent report in the *Wall Street Journal*, ETS is in the process of devising a statistical equation that will factor ethnicity and race into SAT scores, thereby helping artificially to close the persistent gap between minority and white test results.

In any case, when Lemann turns from institutional history to a broader discussion of testing itself, his book sheds whatever character it has as a fact-finding excursion and increasingly takes on the appearance of an ideological tract. Like a biographer discovering that he cannot abide his subject, Lemann turns out to dislike test-based meritocracy altogether, and to disapprove strenuously of a society that rations opportunities for status and wealth via education. He is, in fact, repelled by Conant's idea of a "natural aristocracy," especially one based on individuals' "youthful promise" as gauged by test scores or by attendance at a big-name college. To temper what he sees as the unfair and one-dimensional rankings of the SAT and kindred tests, he favors vigorous, quota-style affirmative action.

Among Lemann's heroes is Bill Lann Lee, the Clinton administration's acting Assistant Attorney General for Civil Rights. Like Lemann himself (Harvard, class of '76), Lee, whose immigrant father ran a laundry in New York, is a prime beneficiary of test-based meritocracy (Bronx High School of Science, Yale College, Columbia Law School). Today, however, he is as aggressive a backer of ethnic and racial preferences as anyone in America, struggling valiantly against attempts by federal courts and popular initiatives like California's Proposition 209 to restore a level playing field. If he, and his peers at the Department of Education, prevail, the use of test scores in college admissions will be severely curbed.

That, however, is unlikely to happen. Despite Lemann's criticisms, periodic salvos from federal civil-rights enforcers, and the cavils of professional educators who do not believe in competition or comparisons, America is likely to retain strong meritocratic tendencies and to continue to make heavy use of testing. People believe in it. Institutions are used to it. And, most importantly, even as we recognize that testing has its drawbacks and limitations, the alternatives are either

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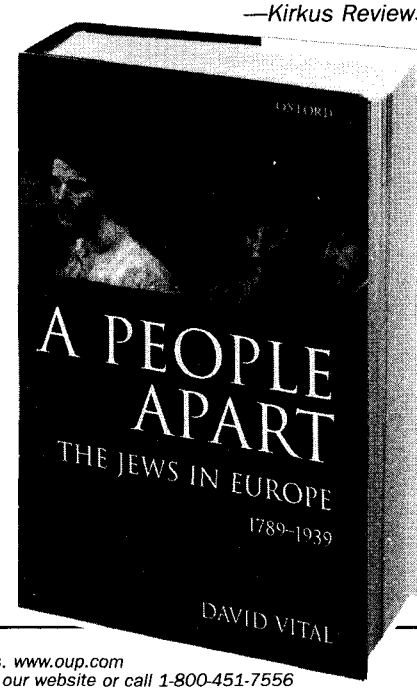

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impractical, undesirable, or worse.

Of course, no written exam can unfailingly discern an individual's true "potential," and no measure of intellectual aptitude is fully insulated from the effects of schooling and upbringing. Nor is any test score a comprehensive gauge of one's essential qualities as a person. But that is precisely why few colleges rely on test scores alone, and why such scores are seldom wholly dispositive in university admissions: too many young people who "test badly" demonstrate powerful redeeming qualities like tenacity and drive, while some who rack up dazzling SAT scores turn out to lack character, integrity, or energy.

Nevertheless, those numbers remain extremely helpful, not only as a broad if fallible gauge of talent but as a way of keeping a diverse democratic society from turning ugly and fractious. They work to retain the focus on individuals and their accomplishments rather than shifting it to heredity, wealth, or tribe. James Conant, though his view of testing may have been ingenuous, was insightful about the American polity. Even a less than perfect test offers a better way of allocating opportunity than decisions based on whom you know, how much money your parents have, what school you attended, or which demographic fraction you belong to.

What remains most troubling in the American context today is not testing but the educational discrepancies that no test—and no policy like affirmative action—can paper over. Some schools are vastly more effective than others, and poor and minority youngsters are most likely to be stuck in the bad ones. Changing that reality will be the work of a generation, and many obstacles lie in its path. Not the least among these obstacles is the ongoing and deeply misguided campaign against testing, a campaign in which Nicholas Lemann's engrossing but flawed book is already being enlisted.

Hail to the Chief

An Affair of State:
The Investigation,
Impeachment, and Trial of
President Clinton
by Richard A. Posner
Harvard. 276 pp. $24.95

Reviewed by
Gabriel Schoenfeld

WHAT, IF anything, did Bill Clinton do wrong in the Monica Lewinsky affair? If he did do wrong, how should he have been punished? How well did American legal and constitutional mechanisms operate in this scandal? What harm, if any, did it visit upon the United States?

These four large questions are the primary subject of *An Affair of State*, an effort to think intelligently about the year-long impeachment drama. It is the latest book to roll off the astonishing "just-in-time" assembly line that Richard A. Posner operates in his writing den even as he toils at what would appear to be two demanding day shifts elsewhere: senior lecturer at the University of Chicago law school and chief judge for the U.S. Court of Appeals in the seventh circuit.

The prolific Posner has not previously ventured so directly into contemporary political affairs, but this volume is hardly an excursion into uncharted territory. The Clinton imbroglio fits handily within a diversified intellectual portfolio that encompasses, among other things, the "intersection of law and morality," a subject he has addressed directly in a book published earlier this year, *The Problematics of Moral and Legal Theory*, and human sexuality, which he tackled in his 1992 *Sex and Reason*. The Clinton scandal's "sheer multifaceted complexity—factual, legal, political, and moral," he writes here with characteristic self-effacement, "cries out for the sort of synoptic compendious treatment that I have attempted in several previous books on cross-disciplinary subjects."

Not surprisingly, given both his profession and the nature of the subject, Posner arrives at his clearest answers in those chapters devoted to sorting out the legal issues. Not that assessing Clinton's legal culpability is a simple pursuit; on the contrary, it entails scrutinizing the conduct not only of the President, a large challenge in itself, but also that of his accusers, preeminent among them the special prosecutor Kenneth Starr.

To begin with the latter: though Posner is a critic of the independent-counsel law under which Starr operated—he calls it a "mischievous anomaly" in our constitutional system—he finds no credible evidence that Starr engaged in any kind of malfeasance. Nor does he believe, as many Clinton supporters have charged, that a different special prosecutor would have proceeded differently, i.e., declined to investigate when confronted with Linda Tripp's revelations about Monica Lewinsky's false affidavit in the Paula Jones case. Starr did make mistakes, Posner finds, but he deserves to be reprimanded only for tactical misjudgments: some of the explicit sexual details contained in his report to Congress, for instance, were, in Posner's view, "gratuitous."

By contrast, the target of Kenneth Starr's investigation does not escape anywhere near so lightly. Reviewing the array of offenses committed by the President, Posner concludes, again contrary to what was often claimed by Clinton's defenders, that they were of a sufficient magnitude to have provoked prosecution had Clinton been an ordinary citizen facing an ordinary prosecutor. Moreover, Posner is convinced "beyond a reasonable doubt" that Clinton engaged in obstruction of justice and committed perjury. All told, if the President had been tried and convicted as a first-

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time offender in a criminal court, his multiple lies under oath and other violations of law would have been considered grave enough to draw a punishment of 30 to 37 months in prison—a "conservative estimate" that Posner arrives at by using federal sentencing guidelines.

But Clinton was not an ordinary first offender, and he was not tried before an ordinary court. Rather, he was indicted (impeached) by the U.S. House of Representatives and put on trial by the U.S. Senate. And so the question is: should he have been, and, if so, should he have been removed from office by the joint action of these bodies?

After surveying the history of impeachment in this country and England, and offering a close comparison of the Clinton case with the Nixon precedent, Posner emerges rather equivocally on these questions. The resignation of Richard Nixon in 1974, though a major benchmark, does not, he says, offer any sort of definitive guide. Although Clinton's supporters stressed incessantly that Nixon's transgressions had involved the misuse of office whereas Clinton's were primarily of a private nature and therefore not impeachable, this distinction, Posner shows, is without a difference: "Does it follow that if President Clinton, using none of the resources of his office and so being innocent of any misuse of presidential power, had killed Monica Lewinsky with his bare hands in order to prevent her from cooperating with the independent counsel, he would not have committed an impeachable offense?" The answer is obvious, and applies not only to murder but to lesser "private" crimes.

Though Posner never arrives at an unqualified judgment—"the search for a simple, definite rule of impeachability," he concludes, "must be abandoned"—he does suggest that perhaps neither Nixon nor Clinton should have been removed from office:

I don't want to defend Nixon, but only to point out, much as Clinton's defenders did in Clinton's case, that while what Nixon did was wrong, it was not necessarily a grave enough wrong, given the circumstances, to warrant the extreme sanction of impeachment. Like Clinton, Nixon had won two elections—the second more decisively than Clinton's second—and it was a Congress controlled by the party that had lost those elections that was trying to push him out of office. Like Clinton, Nixon could point to arguably redemptive successes: in Nixon's case détente, the opening to China, and the consolidation and expansion of Lyndon Johnson's Great Society programs. If Nixon had had Clinton's charm and Clinton's booming economy he might have ridden out the storm—and that might not have been a constitutionally improper outcome.

If Posner's assessment of the constitutional issues is necessarily tentative, he comes to a far more pointed verdict when he turns to the moral questions.

When evaluated from the standpoint of private morality—Posner's term (following Henry Sidgwick, *Practical Ethics*, 1898) for the obligations we owe to others as fellow members of society—some of the President's misdeeds, particularly those for which he publicly apologized, do not appear to him all that serious. One does not have to regard adultery as permissible, writes Posner, to note that it is widespread in America today, and disapproval of adulterous conduct should therefore be "tempered by recognition of its commonness."

So too with lying. Again from the angle of private morality, the falsehoods the President told his family, friends, colleagues in government, and even the American people were

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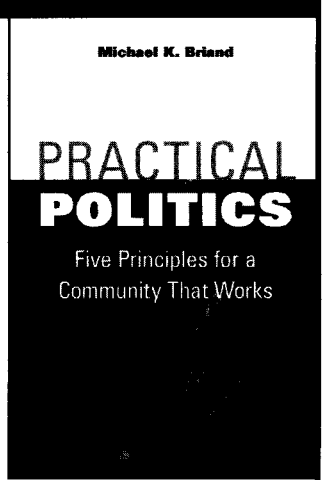

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not terribly injurious. Few people were actually misled—"his wife must know him well enough by now to have seen through his denials"—and those taken in were by and large (though not entirely) "willing victims" who did not in any case endure much in the way of harm. (The exceptions included the President's daughter; various associates like Betty Currie, whom he exposed to legal jeopardy; and Monica Lewinsky.)

But if, from the standpoint of private morality, Clinton's transgressions look ugly but not terribly egregious, from the standpoint of *public* morality—Posner's term (again following Sidgwick) for the obligations we have to others by virtue of our occupation or position—they look considerably worse. The holder of the highest elected office in the United States earns his pay for attending to duties that are both executive and exemplary in nature. Clinton's brand of misbehavior critically subverted both functions.

The President's repeated public lying cost him dearly in the most precious coin of executive leadership—credibility—endangering his ability to carry out the nation's business, in particular in foreign affairs. Here Posner cites the pervasive skepticism that greeted Clinton's decision to initiate a bombing campaign against Iraq just as the House impeachment vote drew near. At the same time, the tawdriness of the President's conduct fatally compromised his standing as an exemplar.

Once again, adultery is not the issue for Posner; the issue is being fellated by an intern in the White House while conducting official business over the telephone with Congressmen, and other Oval Office shenanigans. It was, he writes, on the grounds of "disrespect for his office and for decency in the conduct of government that the most powerful case for impeachment and conviction could have been pitched." And he suggests that both Starr and the House Judiciary Committee erred in not framing the charges against Clinton around this unprecedented "affront to fundamental and deeply cherished symbols and usages of American government."

CONSIDERING BOTH the vagaries of history and how deeply divided opinion still is about the Clinton administration, one can hardly predict how this presidency will be remembered a century from now. But whatever view comes to predominate, *An Affair of State* is likely to become the work to which future historians will turn first in seeking a reliable contemporaneous explanation of what the impeachment scandal was all about. Not only does Posner sort out the issues with precision, but the highly modulated distinctions and qualifications he offers along the way accomplish the difficult feat of elucidating a subject that has already unleashed a cataract of less than edifying ink. *An Affair of State* also reveals once again what a broad and bristling intelligence Posner possesses, at once subtle and direct, iconoclastic and full of high good humor.

Posner is by no means unaware that, along with everything else, the Lewinsky mess was a year of delectable fun. It was "Wagnerian in intensity and protraction," he writes,

> with wonderful actors, the Clintons, in the lead roles, a supporting cast of hundreds, dramatic revelations aplenty (the tapes, the dress, the sex lives of Republican Congressmen), a splendid libretto by Kenneth Starr, a Greek chorus of television commentators; plus hapless walk-ons, clandestine comings and goings, betrayals, suspense, reversals of fortune, hints of violence (supplied by Clinton haters), a May-December romance as it might be depicted by an Updike or a Cheever, a doubling and redoubling of plot, a *Bildungsroman*, even allegorical commentary (the movies *Primary Colors* and *Wag the Dog*), and a touch of comic opera (Chief Justice Rehnquist's costume out of *Iolanthe*). It was the ultimate Washington novel, the supreme and never to be equaled expression of the genre.

But if Posner never entirely loses sight of the (admittedly callow) pleasures of seeing the high and mighty caught up in such an unending burlesque, his purpose is nonetheless entirely serious, and he does not refrain in the end from rendering his own severe character judgments of the minor and major protagonists who made their entrances and exits on the stage. He has cutting words for the Justices of the Supreme Court, who—eight out of the nine, Justice Scalia alone dissenting—upheld the independent-counsel law when it came before them in the *Morrison* case, and who—nine out of nine—allowed a sitting President to be the target of civil litigation centering on sex, i.e., the Paula Jones case. He lambastes House and Senate leaders for making up impeachment rules and procedures on the fly and for sundry other sins that turned the President's trial into a "travesty of legal justice." And he subjects to withering scrutiny the arguments advanced by the President's various champions in the academic world, including, most prominently, the philosophy professors Michael Sandel and Ronald Dworkin and the historians Sean Wilentz, Jack Rakove, and Arthur Schlesinger, Jr. Summing up their behavior, Posner writes that "it is tempting to conclude (though overgeneralization is a danger here) that the Left intelligentsia lacks a moral core."

But the most stinging lashes of all are reserved for President Clinton. "The capacity for moral growth appears to be missing from President Clinton's makeup," Posner writes at one juncture. At another, he speaks of Clinton's "shamelessness, his evident lack of conscience, his self-absorption, and his apparent belief that the end justifies the means even

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when the end is the petty one of burnishing his historical reputation." At still another, he accuses him of having "defiled the Oval Office. . . . Imagine a President who urinated on the front porch of the White House or burned the American flag; these acts could be thought metaphors for what Clinton did."

And yet, for all its distinctive merits, *An Affair of State* is hardly free of its own serious if fascinating flaws.

For one thing, even as he flays Clinton for his moral trespasses, Posner's peculiar philosophical stance undercuts the severity of his judgments, if not the very possibility of a meaningful morality. The standard he applies throughout, when he pauses to explain it, turns out to be nothing more transcendent than "the nation's current moral code," or "what the vast majority of Americans believe." Morality, in this conception, is contiguous with the public-opinion polls.

Indeed, this is essentially the same position Posner adumbrates in his recent book, *The Problematics of Moral and Legal Theory*. "[A]ll morality is local," he argues there. If we say, for example, "that the Nazis really were immoralists, they were, *but according to our lights, not theirs*" (emphasis added). So too with President Clinton: "the morality that condemns the traitor, the adulterer, etc., cannot itself be evaluated in moral terms."

If Posner's unabashed embrace of relativism inevitably diminishes the force with which he judges Clinton, the libertarian political stance that flows from that embrace helps to explain his final and strikingly buoyant assessment of the effects of the scandal on American society. Not only is it "especially premature," he concludes, to assert that the episode has left us worse off, but in fact its repercussions "have not been bad at all." Among other good things, the impeachment scandal has made people more "civic minded," by compelling them to think about public affairs; it has helped create more transparency in government; and, finally, it has "contributed to a franker public discourse on matters of sex" and may even work to encourage safer forms of it:

> It is too soon to tell whether oral sex will become a more popular sexual practice as a result of the incessant public discussion of the President's taste for it, but, if so, it would not be the end of the world; . . . it is, at least, securely contraceptive and only rarely a conduit for disease. Phone sex is better yet on these dimensions.

One can perhaps sense a wry smile materializing on Posner's face as he set those words to paper, but he is also being completely serious. The "residuum of sexual puritanism" in the United States, he complains, is "dysfunctional," and he bemoans the "absurd assertions" by some conservatives "that the revelation of Clinton's affair with Lewinsky has weakened parental control over the sexual behavior of their children."

All this is very provocative and against the grain, but is it correct? If we are to gauge by Posner's own measure of moral right and wrong—"what the vast majority of Americans believe"—his stated preference for a less puritanical regime must be deemed quite arbitrary: public opinion, after all, seems to be rather ambivalent on the question of whether mores in the United States are currently too restrictive or too loose. Either Posner is here advancing a private and possibly idiosyncratic opinion in the guise of dispassionate analysis, or he is deliberately withholding from his readers the terms of his moral/political calculus. In either case, there is ample reason to believe that he is wrong about the effects of the

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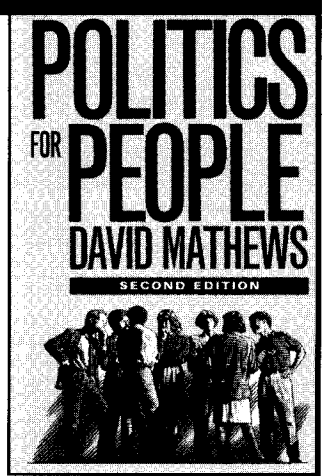

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bizarre psychosexual drama that played itself out on the national stage for more than a year—to believe, in other words, that it has degraded our country and its culture much more than he cares to admit.

One wonders, for example, exactly what Posner would make of a front-page story—"Parents Are Alarmed by an Unsettling New Fad in Middle Schools: Oral Sex"—that appeared in the *Washington Post* just as his book was going to press. The article quotes thirteen- and fourteen-year-old girls expressing puzzlement over their parents' disapproval of the sexual practice in which they now routinely indulge at parties and in parks. "What's the big deal?" says one. "President Clinton did it."

But whether America is becoming more "dysfunctional" or less "dysfunctional" now that seventh and eighth graders are engaging in "securely contraceptive" forms of sexual behavior, it is hard not to agree with Richard Posner that, thanks to President Clinton, "franker public discourse on matters of sex" is indeed upon us. It is upon us with a vengeance. For that ignominious contribution alone, Clinton's place in the glorious history of our republic is secure.

Honor Thy Father

Legacy:
A Biography of Moses and Walter Annenberg
by Christopher Ogden
Little, Brown. 624 pp. $29.95

Reviewed by
David Brooks

IN 1933, Moses Annenberg, a self-made publishing magnate who had risen from nothing to become the owner of the *Philadelphia Inquirer*, sent a telegram of congratulations to Franklin D. Roosevelt, the nation's newly elected President. "The success which is crowning your efforts in the most difficult task since the reign of Washington and Lincoln," Annenberg gushed, "is deserving of the highest appreciation that can be shown you by the American people."

But by FDR's second term Annenberg had soured on the President, having been offended by his scheme to pack the Supreme Court and his larger tilt to the Left as the New Deal unfolded. The *Inquirer* became a steady critic of the administration, running headlines like "The War Against Business Goes On."

FDR took notice. In October 1938, he dispatched his Interior Secretary and close political aide Harold Ickes to follow up on allegations that Annenberg had links to the mob. In Philadelphia, Ickes made a speech declaring open season on the publisher; by any standard, it was a vicious performance. "You can't stand the stench of Annenberg on top of the gold of [Sun Oil company founder Joseph] Pew," Ickes orated. "Stand downwind and just whiff." In Washington, FDR pressed the assault. "Goddammit, Homer," he screamed at his Attorney General Homer Cummings, "why don't you prosecute this fellow? Why don't you call him a son of a bitch?" Within two weeks, the Treasury Department, the FBI, and the Justice Department were pursuing Annenberg.

Prosecutors found no mob connection but did put together a strong case of tax evasion. Annenberg, whose family business was a complicated affair managed by an amateurish bookkeeper, had undoubtedly violated the law. Under normal circumstances he would have been able to settle with a stiff fine, but the administration wanted him in jail. Though the publisher lobbied desperately for a settlement, FDR would have none of it, and prosecutors got the message.

It was when the authorities targeted his son that Annenberg finally agreed to a guilty plea that would put him in prison. "As you know, I've always had the greatest ambitions for Walter," Moses told the *Inquirer*'s editor at the time. "I purchased the *Inquirer* and built it up with his future in mind. That's the only thing I'm interested in, and if I can spare Walter the trial, I won't mind doing a year in jail."

Annenberg was sentenced to three years at Lewisburg prison in Pennsylvania. Eighteen months into his term, his parole board unanimously voted for release, but Attorney General Francis Biddle, a longtime foe, overturned the ruling. The Annenberg family then sought a pardon. Ickes urged the President to reject it: "In his much smaller sphere," Ickes wrote, "Annenberg has been as cruel, as ruthless, as lawless as Hitler himself."

At this point Annenberg's health broke. Out of prison at last, he died on July 20, 1942 at the age of sixty-five. His last words were to his son: "Walter, who knows what is the scheme of things. My suffering has all been for the purpose of making you a man."

THIS EPISODE is the central event in Christopher Ogden's fascinating biography of Moses and Walter Annenberg. On one level, the Annenbergs' is a familiar tale of a Jewish immigrant family's climb from pogrom-ravaged Eastern Europe to the pinnacle of American society. For, just eight decades after the Annenbergs sailed into New York harbor in 1885, Moses Annenberg's son Walter, having himself presided over a mammoth publishing enterprise that included *Seventeen* magazine and *TV Guide*, rose to become the ambassador of his country to the Court of St. James's. But it is the odd relationship between father and son that overshadows even this gaudy ascent.

Ogden, a journalist with *Time*

DAVID BROOKS *is completing a book on upscale America to be published by Simon & Schuster early next year.*

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and the author of a previous biography of Pamela Harriman, was granted extraordinary entry to the Annenberg family, and apparently full access to the huge trove of letters its members wrote to one another. (Walter communicated with his own children more easily by mail than in person.) This enables Ogden to describe the climactic moments of their lives—including the suicide of Walter's son in 1962—in intimate, page-turning detail. And Ogden is also a sympathetic biographer, frankly admiring Moses's vigor and drive and the self-discipline and acumen of Walter, now aged ninety-one and still at the helm of a $3 billion-plus foundation that bears his name.

But Walter was not always the man he became. On the contrary, up to the point of his father's death, he had been a quiet and unassuming dandy, a meticulous dresser with a passion for showgirls; and even afterward, as Ogden shows, he did not suddenly undergo a transformation from Prince Hal to King Henry. As a mature billionaire, he continued to rely on his charm to carry him along socially. At Sunnylands, the huge estate he built near Palm Springs, he hosted everyone from Frank Sinatra, Bob Hope, and Bing Crosby to Richard Nixon and Ronald Reagan. It was, indeed, his friendship with those two Presidents that led to his prominence in political circles and that culminated in his being named to London in 1969.

And yet, for each moment in *Legacy* when Walter Annenberg seems shallow, there is another that shows him to be a formidable and willful personality. A stutterer from his youth, he had to perform tortuous exercises for hour upon hour, every day of his life, to keep his speech impediment under control. Both in and out of business, he was quick to confront underlings and politicians who challenged him, and no more than his father before him did he ever shrink from wielding the *Inquirer* as a club to beat his sometimes powerful foes. His gigantic success—in addition to creating *Seventeen* and *TV Guide*, he sat atop a TV-based media empire of his own—was owed in equal parts to talent and drive. As an investor, he compiled a record to match Warren Buffet's.

Still, no matter how rich he got, and no matter how many billions he gave away in often ill-conceived gifts to charity, in some fundamental sense Walter never really emerged from his father's shadow. Or, rather, he never seemed to want to. When asked the secret of his success, he always said it was being born Moe Annenberg's son. A maxim he had etched in bronze and put on his desk read, "Cause my works on earth to reflect honor on my father's name."

"His mistreatment was the making of me," Walter later said of his father's ordeal at the hands of FDR, Ickes, and the rest. More than the voguish story of a (rich) father forever dominating the psyche of his (even richer) son, in the end *Legacy* casts an unexpected and quite profound light on another theme altogether: the links of honor and duty that can enduringly bind one generation to another.

Lost and Found

The Jewish Search for a Usable Past
by David G. Roskies
Indiana. 217 pp. $24.95

Reviewed by
David Singer

No character from Yiddish literature is more universally recognized than Tevye the dairy-

David Singer *is editor of the* American Jewish Year Book.

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man, the protagonist of Sholem Aleichem's beloved turn-of-the-century stories and of *Fiddler On the Roof*, the hit Broadway musical later fashioned from these tragicomic tales. Indeed, the fate of Tevye and his family has come to serve for many as a kind of capsule history of Jewish Eastern Europe in the late 19th century. A good-natured traditionalist, forever citing Scripture and speaking to God, Tevye watches helplessly as his daughters choose husbands representing the most powerful currents of modernity: a socialist agitator, a Gentile humanist, a rich capitalist. It is their secular world, not Tevye's faith-based one, that will survive the turmoil and persecution that history has in store for these characters and their real-life counterparts alike.

The irony, however, is that even as Sholem Aleichem was dramatizing the rupture in Jewish continuity, he was also creating—in the person and outlook of Tevye—a version of the tradition-dominated Jewish past that modern Jews could comfortably embrace. In fact, as David G. Roskies shows in his fine new volume of essays, this sort of complex dialectical relation between the old and the new has been at the heart of Jewish collective memory for more than a century. A scholar of Yiddish literature at the Jewish Theological Seminary, Roskies here traces the development of a modern Jewish self-understanding based on a past that has proved compelling precisely because it is safely dead and "usable."

WITH THE collapse of traditional Jewish communities throughout Eastern Europe in the second half of the 19th century, most Jews, Roskies writes, experienced "a profound sense of loss and dislocation." No longer devoted to the strict observance of Jewish religious law, they were open to new creeds, especially those that attempted in some way to explain their predicament as Jews. Secular Jewish intellectuals were only too glad to oblige. In doing so, many of these secularists learned, selectively, to use their people's religious and historical legacy in the service of their own agendas.

There quickly emerged competing versions of the past, or what Roskies calls a "free market of pasthoods." For liberals, whose aim was to complete the separation of the Jews from their benighted piety, one strategy, adopted by the Hebrew novelist Abraham Mapu (1808-67), was to depict an "unbroken chain of [Jewish] idolatry, backwardness, and immorality" stretching all the way back to "the priests of Baal." By contrast, Jewish nationalists of various stripes found much to celebrate in their people's history and culture: Yiddishists elevated longstanding customs and superstitions into folklore, while Zionists, drawing freely on biblical models, fashioned "new national symbols out of old." Only socialists and anarchists had a difficult time, there being, as Roskies wryly observes, no obvious way to "recast the concepts of surplus value, class conflict, and alienation of labor into recognizably Jewish terms."

In several arresting case studies, Roskies shows the workings of memory in popular Yiddish culture, particularly in the United States. Thus, the Workmen's Circle—a left-wing organization prominent early in this century in the Jewish labor movement—sought to reinvent the tombstone as an expression of its secular ideals. Traditional prayers and symbols gave way to carved eagles, torches, and lyres, and to honorific epithets like "comrade" and "fighter"; and yet, in many obvious ways, visible in the photographs Roskies obligingly reproduces, these monuments remained closely indebted to Jewish memorials of the past.

In a similar vein, Roskies focuses on a species of song known as *shund* ("trash"), a staple of Yiddish musical theater on New York's Second Avenue. A "mishmash of sentiment

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and satire, of patriotism and traditional piety, of sex and schmaltz," this popular music offered a romanticized view of the Old World while at the same time encouraging a "pragmatic acceptance of America." *Shund*, Roskies observes, helped to assuage the "anger and guilt over leaving the *shtetl*."

And, of course, the image of the *shtetl* in modern Jewish memory is itself a literary construct—"the greatest single invention of Yiddish literature." The now-familiar "symbolic landscape" of small-town Jewish Eastern Europe, Roskies argues, was the self-conscious creation of writers like I. L. Peretz (1852-1915), Sholem Asch (1880-1957), and Isaac Bashevis Singer (1904-91). In their work the *shtetl*, whether depicted as an existence "best left behind" or as a "paradise lost," became a "living, speaking, and highly reactive character," every bit as vivid as the Jews who inhabited it.

Into these subjects and many others—including Zionism, the literature of the Holocaust, and the Jewish school system in his native Montreal—Roskies delves with insight in this book, drawing nuggets of evidence from every sphere of Yiddish life and culture. He is fully persuasive in describing the complicated process of loss and retrieval that has been the chief dynamic in the development of a Jewish collective memory in the modern era.

His discussion might have been usefully extended, however, by a consideration of how the defenders of the *old* order of Jewish life—the Orthodox—also tried to create a usable Jewish past. Indeed, the very term "Orthodox" is a token of this effort, having been coined in the 19th century as part of a rearguard action against the forces of secularism and religious reform. Projected into the past, the label was meant to align Jewish traditionalists with earlier communities of true believers who had gone to battle against heretics.

Along similar lines, one misses as well any discussion of the relative merits of modern Jewish memory and what Roskies, in setting the stage for his analysis, terms "covenantal memory." Memory of this latter variety—characteristic of traditional Jewish society and discernible even in the musings of Sholem Aleichem's Tevye—strove to assimilate present-day happenings to events in sacred history and especially in the Bible, thereby tacitly assuming God's ongoing interest in the affairs of His chosen people. The function of covenantal memory, as Roskies puts it, "was to transcend the ruptures of history," allowing Jews to remind God "of His promise and of Israel's steadfastness in the past."

Roskies is rightly impressed by the success of Yiddish-speaking Jews in building a serviceable bridge between past and future. Given the disruptions wrought by modernity, continuity of any kind is indeed a precious commodity. Still, covenantal memory, linked to a sense of transcendent Jewish purpose in a way that its distant modern cousin

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New York, the New York Marriott, 29-31 October 1999

Friday, 29 October

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Sir Hugh Lloyd Jones (Oxford): "Goethe and the Greeks."
Michael Moses (Duke): "Magical Realism as a World Genre."
Gary Saul Morson (Northwestern): "Dostoevsky and the Literature of Process."

4:30-5:30 p.m. Poetry Reading by **Charles Wright** from his work in progress.

Saturday, 30 October

9:00-11:00 noon. ***Cervantes in a World Context.*** Chair: **Dario Fernandez-Morera** (Northwestern).
Diana Wilson (University of Denver): "Cervantes and the Indies."
Howard Young (Pomona): "Conversations between Don Quixote and Sancho Panza."
James Parr (UC Riverside): "Don Quixote: Translation and Interpretation."

2:00-4:00 p.m. ***The Humanities in the Undergraduate Curriculum.*** Chair: **Mark Bauerlein** (Emory).
Kathy Eden (Columbia University): "The Great Books in the Undergraduate Curriculum."
John Briggs (UC Riverside): "Composition and the Humanities."
Thomas F. Bertonneau (ALSC): "Orality, Literacy, and the Humanities."

8:00 p.m. Banquet, followed by an address by **Sir Ferdinand Mount,** Editor in Chief, *Times Literary Supplement.*

Sunday, 31 October (Concurrent Sessions)

9:00-11:00 a.m. ***Charles Wright, Poet and Three Critics.*** Chair: **Eleanor Cook** (University of Toronto).
Bonnie Costello (Boston University): "The Passions of Charles Wright."
James Longenbach (University of Rochester): "The Landscapes of Charles Wright."
Willard Spiegelman (Southern Methodist University): "On Charles Wright."

Romantic Poetry. Chair: **Norman Fruman** (University of Minnesota).
Robert Gleckner (Duke): "Humpty Dumpty Blake."
Jerome McGann (University of Virginia): "Millennial Romanticism."
James Engell (Harvard): "Romantic Poems and Ideas."

Drama: Classic to Renaissance. Chair: **Mary Lefkowitz** (Wellesley).
Charles Marowitz (Malibu Stage Company): "Shakespearean Acting – Clue to Action."
Tom Hester (North Carolina State): "Reading the 'Tale' in *The Merchant of Venice.*"
Eric Gans (UCLA): "Aeschylus to Racine – Drama's Internal Scene."

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is not, is also a far weightier and more substantial thing. As has become increasingly apparent in today's America, most of the various bridges built by modern Jewish memory, precisely because they do not deliver on the larger meaning of Jewish history, have proved unable, on their own, to bind more than one or two generations to the Jewish past. That, too, is worth remembering.

New World Disorder

The Lexus and the Olive Tree
by Thomas L. Friedman
Farrar, Straus & Giroux. 394 pp. $27.50

Turbo-Capitalism: Winners and Losers in the Global Economy
by Edward Luttwak
HarperCollins. 290 pp. $26.00

False Dawn: The Delusions of Global Capitalism
by John Gray
New Press. 262 pp. $25.00

Reviewed by
Christopher Caldwell

FROM SEMINARS in business schools to arguments in union halls (if there still are arguments in union halls), the term "global economy" is hard to avoid. But it is even harder to define, if for no other reason than that the current world economic system is a mix of different factors. Among these has been the unleashing of capitalism from punitive taxation and over-regulation; the technological advances (computers and telecommunications) that have permitted increased knowledge about markets and a speeding-up of transactions; new financial instruments, from junk bonds to derivatives, and the increasing role played by finance capital; and the spread of American culture, whether due to conscious efforts of the United States to impose its ways or to the understandable desire of other societies to imitate American prosperity.

Just when these elements began to interact powerfully enough to create the changed world we know today is another question that does not admit of easy answers. With the breakout of the corporate bond market in the 1960's? The birth of the Eurodollar in the 1970's? Reaganomics and Thatcherism in the 1980's? Gains in productivity from information technology, visible in economic statistics only since the 1990's? Still unclear, too, is whether the distinctive economic problems associated with our time—supposedly widening inequality in America, rampant unemployment in continental Europe, hyperinflation in Russia, anemic demand in Japan and now in much of Asia—merely coincide with the global economy or actually arise from it. Most difficult of all to determine is whether this new economy is a semi-permanent regime or an unstable transition to something else.

But even as the global economy remains undefined, opinion has increasingly begun to line up on one side or another of a different question entirely: whether "globalization" is a good thing or a bad thing. These three books show that our future politics hinges on which side prevails.

AT ONE end of the spectrum is the *New York Times* columnist Thomas L. Friedman, who unreservedly hails the new economy as a giant if occasionally painful step forward on the march of human progress. Basically, *The Lexus and the Olive Tree* is a collection of anecdotes and observations culled from Friedman's interviews all over the world with various key actors on the global economic stage. Wondering about the effect of the Internet, he consults John Chambers, CEO of Cisco Systems. Wondering about international trade, he consults then-Deputy Treasury Secretary Lawrence Summers. And figuring prominently throughout is Thomas Friedman himself: his investments; his favorite five-star hotels; his vacations in Colorado, where he and other nabobs of globalism whip out their cell phones on the ski lifts.

To be sure, his story is not only about the biggest winners. To illustrate that the global economy has potential benefits for all, Friedman dwells on cultures that have benefited from it at the margins: the Kayapo Indians of Brazil, for instance, who watch the gold quotations from the Brazilian futures market to make sure they are not being ripped off by the miners they have allowed to dig on their land. And Friedman also understands that all is not wine and roses. The very title of his book is meant to capture an essential conflict of our time: while riding on a 180-m.p.h. train engineered by the Japanese company Lexus, he finds himself marveling that "the people with whom I had lived for so many years in Beirut and Jerusalem [as the *Times*'s Middle East correspondent in the 1980's], whom I knew so well, were still fighting over who owned which olive tree."

In other words, the global economy (the Lexus) and traditional cultures (olive trees) are not always compatible. Fast economic change can wreak havoc in traditional societies; worse, tradition can block the healthy advance of globalization. Yet, Friedman insists, properly managed, globalism can not only create unheard-of affluence, it can actually enhance rather than destroy community.

BEFORE GETTING to Friedman's idea of proper management, it is useful to have a look at his opposite numbers in the globalization debate.

CHRISTOPHER CALDWELL *is senior writer at the* Weekly Standard.

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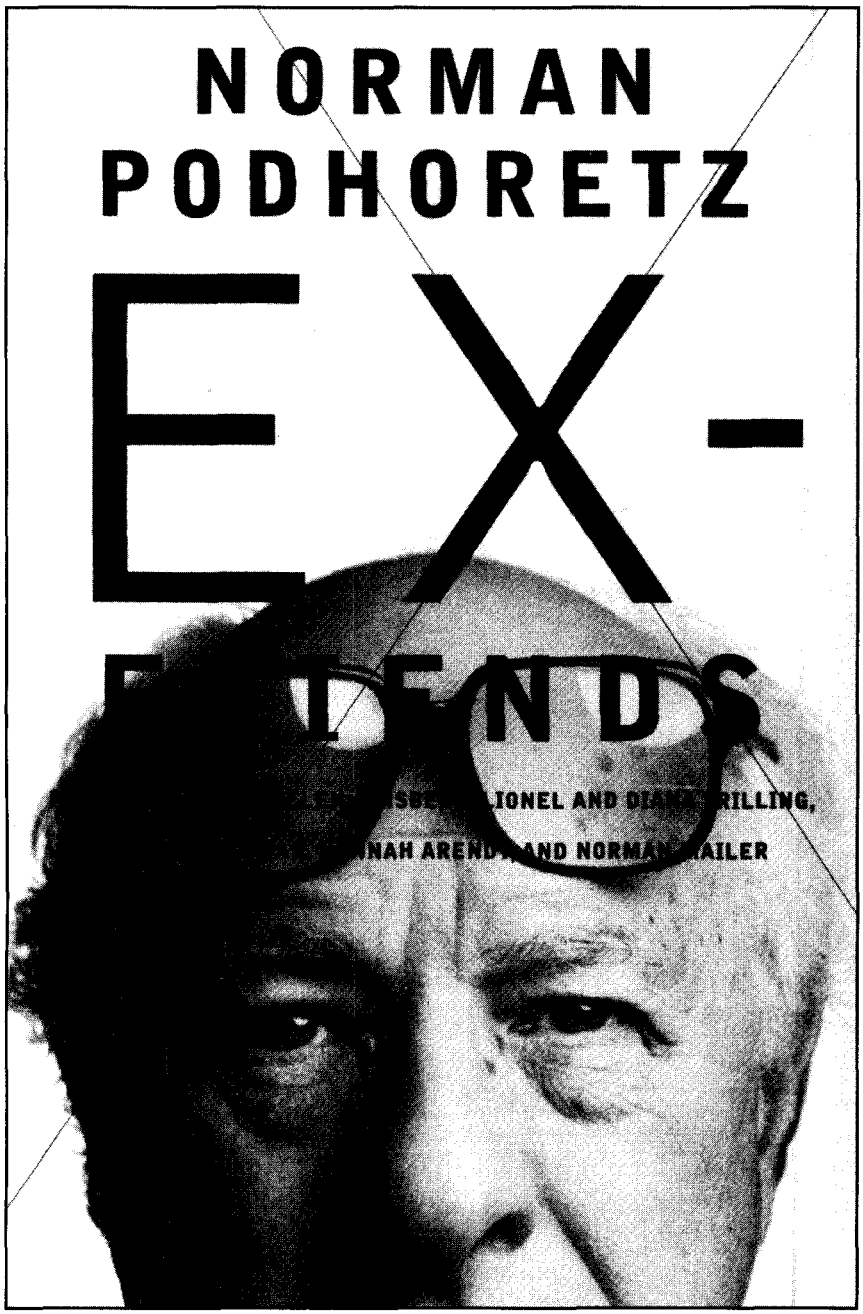

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Known (including to COMMENTARY readers) for his writings on military strategy, Edward Luttwak has increasingly turned his attention of late to economic affairs; what he has seen, to judge by his broadside *Turbo-Capitalism*, has mightily displeased him.

If, for Friedman, the global economy is to be welcomed as the wave of a better future, for Luttwak it is little more than a new form of barbarism, planned out consciously—and irresponsibly—by individuals united only by their worship of "free" markets and their indifference to the social disruption those markets cause. Although he grants that free-trade/low-regulation/low-tax regimes are economically efficient in the sense that they improve GNP, Luttwak maintains that they are not worth the price they exact in social chaos, a chaos that "exceeds the adaptive limits of individuals, families, and communities."

Luttwak waxes journalistic in explaining the dislocations visited on those who have had their jobs wrested from them by "turbo-capitalism," his term for the system that replaced the beneficent, post-World War II "managed capitalism" that once offered Americans remunerative and, above all, reliable jobs:

> The 50-55-year-old male, white, college-educated, ex-corporate employee and former exemplar of the American dream, still perhaps living in his lavishly equipped suburban house, with two cars in the driveway, one or two children in $20,000 per-annum universities . . . who now exists on savings, second and third mortgages, and scant earnings as a self-described "consultant," has become a familiar figure in the contemporary United States.

The problem, Luttwak writes, is that the "New Titans" of information technology, whose success is emblematic of the whole global economy, do not create many jobs. In 1995, the twenty largest high-tech companies combined to employ (by Luttwak's accounting) fewer than a fifth as many people as did General Motors. There is today an oversupply of software engineers, and only 19 percent of computer-science graduates work in the field twenty years after graduation. Although spinoffs may employ many more, the heart of the information-technology sector, Luttwak insists, is no job-creating dynamo.

For Luttwak, this simple economic fact—rather than "wounded national pride"—is what accounts for the resistance to marketization of many European societies. "Free markets have a natural tendency to become unfree," he writes, by which he means to make both an economic and a social point. Economically, capitalism tends toward monopoly, and this tendency is hard to stop without damaging the economy itself. But the social fallout is much worse.

It is not just that marketization—i.e., Americanization—spreads a great deal of lowest-common-denominator garbage in the form of chain stores and fast-food emporia. It is that the model of social relations entailed by an American-style economy offers, in Luttwak's judgment, significantly less freedom to ordinary people. As evidence, he adduces the widespread use of surveillance in the United States; our laws against smoking, drinking, drugs, and pornography; and our unrivaled rate of incarceration.

False Dawn, by the English political philosopher John Gray, brings even more skepticism to the new economy than does Luttwak. Gray, too, places America at the heart of globalism. But whereas Luttwak views the U.S. as the source of reasonable economic doctrines mis- and over-applied, Gray, who in the 1980's worked for Margaret Thatcher before seeing the light, views it as a dogmatic and totalizing imperialist menace. "The [capitalist] thinking that inspired market reform in Russia," he writes bitterly, "differs from Leninism in the economic system that it aimed to install. But its consequences in human suffering and economic devastation have been in some ways strikingly alike."

Those consequences are visible, according to Gray, wherever the neoliberal experiment has been tried out. In Britain, the introduction of free-market policies in the 1980's was accompanied by a dramatic growth in crime, inequality, and homelessness. In the third world, market policies have widened the gap between haves and have-nots, and spread corruption and crime. In Mexico, before market reforms, "the poorest half of the population received 20.7 percent of national income; by 1992, that had fallen to 18.4 percent." In the meantime, Mexico has more billionaires per capita than any other place on the earth.

The worst of it, in Gray's judgment, is that there is no way out. The interdependence of economies and the untrammeled and growing power of multinational corporations mean that any attempt to dissent from the global market gets "quashed by the threat of capital flight." An excellent measure of the resulting depredations, writes Gray, is the "intensity of the fundamentalist movements which [globalism] is evoking" by way of reaction, from angry Islamic mullahs to Timothy McVeigh.

BETWEEN FRIEDMAN'S optimism and the pessimism of Gray and Luttwak, we can see the outlines of a new bipolar politics. As an eager ideologist for the optimists of globalization, Thomas Friedman makes the case for an explicit shift of political power to a global elite that will make the thing run. He quotes approvingly the California physicist Murray Gell-Mann, who holds that society in its current state needs a class of generalist thinkers to set its goals. Friedman considers himself eminently qualified for the job, preeningly describing how he taught

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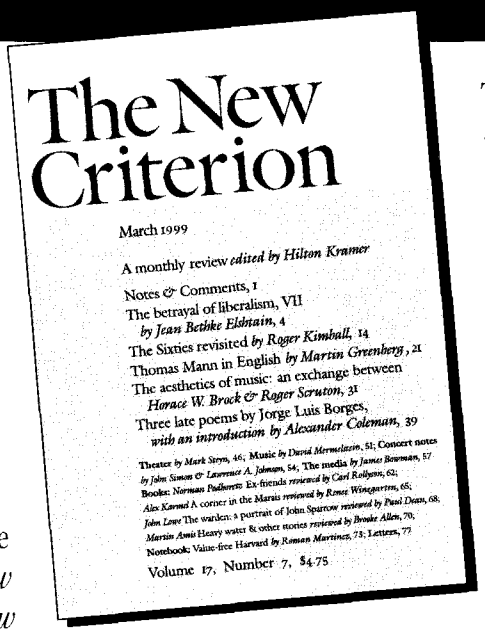
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Notes & Comments, 1
The betrayal of liberalism, VII
by Jean Bethke Elshtain, 4
The Sixties revisited by Roger Kimball, 14
Thomas Mann in English by Martin Greenberg, 21
The acsthetics of music: an exchange between
Horace W. Brock & Roger Scruton, 31
Three late poems by Jorge Luis Borges,
with an introduction by Alexander Coleman, 39
Theater by Mark Steyn, 46; Music by David Mermelstein, 51; Concert notes
by John Simon & Lawrence A. Johnson, 54; The media by James Bowman, 57
Books: Norman Podhoretz: Ex-friends reviewed by Carl Rollyson, 62;
Alex Konrad A corner in the Marais reviewed by Ronee Winegarten, 65;
John Lowe The warden: a portrait of John Sparrow reviewed by Paul Dean, 68;
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himself to "do information arbitrage" (whatever that means) "in six dimensions" (whatever that means).

In this respect the dichotomy Friedman sets up between the Lexus and the olive tree is really no contest. Though he pays lip service to olive trees, any clash between them and the Lexus has been decided by him in advance—in favor of the Lexus. Or, to put it differently, in favor of people like Thomas Friedman's image of Thomas Friedman. "The most open-minded, tolerant, creative, and diverse societies," he writes, "will have the easiest time with globalization, while the most closed, rigid, uptight, self-absorbed, and traditional companies and countries, which are just not comfortable with openness, will struggle." If that is so, Lord help most societies on earth.

ULTIMATELY, THEN, it is not the Lexus and the olive tree that are in conflict but rather the various local olive trees of the old economy and the claims of the new global elite—Friedman's own olive tree, which he is too smug to recognize as such. But the nostalgia of the skeptics is no alternative.

Both Luttwak and Gray rosily misrepresent the more regulated economies that preceded the market radicalism they now complain about. Yes, growth rates in the United States in the 1950's and 1960's exceeded those in the 1980's; but the old economy also had its ups and downs. Moreover, by the 1970's—i.e., the eve of the "turbo-capitalist" years—the downs, particularly in the U.S. and Britain, were almost uninterrupted.

Similarly, increasing inequality in the United States, as best we can measure it, began in the decidedly unglobalized 1970's, and is today more social than economic. Elsewhere, Gray's attempt to prove third-world inequality by counting Mexican billionaires is simply ludicrous. These plutocrats are better thought of as vestiges of a decades-old oligopoly only now in the process of being broken—largely by globalization. As for America's problem with underclass violence—to which the mass incarceration both Luttwak and Gray decry is a response—it, too, is of several decades' duration. Nor are Gray's warnings about "fundamentalism" convincing. Wherever one looks, the big period of growth in this particular commodity appears again to have been the 1970's, well before the market-enthroning regimes of Reagan and Thatcher.

On shaky evidence like this, both authors have erected a bilious ideology. Take Gray's statement that the interdependence of economies means that any attempt to dissent from the global market gets "quashed by the threat of capital flight." In fact, it works the other way around as well: capital flight is the only disciplinary tool the global economy has at its disposal against the whims of government policy-makers. That relations between these two entities should be sometimes difficult is hardly anything new, but Gray seems oblivious to the fact that there is also nothing permanent about their present configuration. Six years ago, it was conventional wisdom that markets would punish countries that raised taxes. Today's global markets might very well punish the U.S. economy if Washington *lowers* taxes. The only solution to this impermanence, itself a permanent fact of economic life, is autarky, or national self-sufficiency. Something very like this discredited populist project lurks at the heart of both Luttwak's and Gray's critique, and it presents as blind an alley as Friedman's elitism.

WHAT, THEN, should we *do* about globalization, which obviously presents new problems in addition to new forms of old ones? A good place to start is with empirical reality, to which my own favorite guide is the MIT economist Paul R. Krugman. Fortunately, Krugman has recently put between covers eight highly specific and splendidly written essays on the global economy.* While he is hardly happy with every outcome produced by our new arrangements, neither is he a dogmatic enemy of them; his examination of the severest of the crises that have arisen in the 1990's is refreshingly precise, never blinking the genuine causes for alarm but never succumbing to the Friedman-like call for a grand guru to set things right through wholesale political or social change. You can call such an approach diagnostic, empirical, or pragmatic. You can also call it bland. But for now it seems like the only road to prosperity that does not entail choosing between Friedman's aspirations to run the global economy and Luttwak's and Gray's to stop it in its tracks.

*_The Return of Depression Economics_. Norton, 176 pp., $23.95.

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